

HE WHENUA TE UTU
(THE PAYMENT WILL BE LAND)

by

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ABBREVIATIONS

| | |
|--------------|---|
| <u>AJHR</u> | <u>Appendices to the Journals of the House of Representatives</u> |
| <u>BPP</u> | <u>British Parliamentary Papers</u> |
| CO | Colonial Office |
| CS | Colonial Secretary (New Zealand) |
| IA | Internal Affairs series |
| <u>JPS</u> | <u>The Journal of the Polynesian Society</u> |
| MA/MLP/NP | Maori Affairs files, Maori Land Purchase Department, New Plymouth |
| <u>MLC</u> | Maori Land Court Minute Books |
| <u>MMS</u> | <u>Methodist Missionary Society</u> |
| MS./MSS. | Manuscript/Manuscripts |
| <u>NZC</u> | <u>New Zealand Company Papers</u> |
| <u>OLC</u> | Old Land Claims |
| <u>TPNZI</u> | <u>Transactions and Proceedings of the New Zealand Institute</u> |

NOTE

Maori words which are part of New Zealand English have not been underlined. A glossary would have been tiresomely long and has been dispensed with; instead, a translation is provided in the text as each new word occurs. Some place-names have been left untranslated, as it was felt that a literal translation, made in ignorance of the incident which gave rise to the name, would not be particularly helpful.

Spelling has been corrected, and punctuation added without comment in quotations from Maori sources, rather than inflict a rash of square brackets on the reader. The spelling of names in whakapapa (which often

suffered at the hands of Court clerks) has been standardised - though it is unlikely that I have been aware of every mistake. The underlining of names is in every case my own.

It should be noted that the minutes of some cases heard in the Land Court extend over two minute books; in footnotes I have indicated where this occurs. Some of my references are to the private notebooks of Judge W.G. Mair; the appropriate official minute books may easily be traced. In my references to the British Parliamentary Papers I have given the individual P.P. page number first, followed in brackets by the Irish University Press Series page number.

ABSTRACT

The food resources available to the pre-European Maori were both scanty and scattered, and each hapu (sub-tribe) was therefore highly mobile within its territory. To safeguard claims to resources - for Maori society was fiercely competitive, and food, which was obtained only by sustained effort, was in consequence its natural 'currency' - the hapu must constantly maintain them, and transmit a record of their usage to their descendants. Claims to territory were expressed by both social and economic activities carried out within it, and only a person who could prove an intimate physical association between the land and every ancestor on his genealogy was entitled to use hapu resources. With the arrival early in the nineteenth century of Europeans, outlets for competition multiplied. Nga Puhi, who raided their neighbours for labour to grow food for the early shipping, acquired great mana from their wealth in guns and in captives. Everywhere they were emulated by other tribes; notably by Te Rauparaha's Ngati Toa, who migrated from Kawhia to Cook Strait to establish a stranglehold on the trade provided by the shore whalers. The Ngati Toa allies - Ngati Raukawa, Ati Awa - who assisted in the conquest of the South - resented Te Rauparaha's monopoly of the new wealth, and resented even more his attempts after 1839 to take payment for the lands from the settlers and Government for his imagined claims by conquest to their lands. The arrival of pakeha land purchasers heralded a rush to sell land to substantiate claims (after the traditional manner) by publicly receiving payment for them. The first 'sales', of course, made by a people who knew nothing of land transfer or written deeds, were unwitting; Te Rauparaha and Te Wharepouri of Port Nicholson later stood by them, rather than compromise their right to have taken payment in the first place. The Ati Awa went home to Taranaki to embark on a series of deliberate sales, competing against one another for recognition of their claims in the form of payment from Land Purchase officers. Ihia Te Kirikumara was one chief who spared nothing in his attempts to take payment for land he claimed at Waitara, and in 1860 he watched in triumph as British troops ousted his opponent Wi Kingi.

PREFACE

This thesis was intended at the outset as a study of the origins of Kingitanga, the Maori King Movement centred in the Waikato. It began, that is, by asking why chiefs of many tribes felt the need, in the mid-nineteenth century, to place their lands under the protection of a Maori King. Rather too slowly, it dawned on me that I was starting with the wrong question. What one needed to know first was why, during the initial twenty years of British settlement, so many chiefs rushed to sell their land. For it came as something of a surprise that the sources seemed not to bear out the widely held view that before 1860, Maori chiefs were either cheated or bullied or provoked into selling land. Why, on the contrary, were chiefs apparently competing to sell? Why were Government land purchase agents under such pressure to accept an almost embarrassing number of offers? Clearly, there was rather more at stake than first met the eye. Land sales, it seemed, would make more sense when they were viewed against a background of tribal politics.

The first part of the thesis attempts to establish the social and economic context in which Maori principles of land-holding in general, and the Maori attitude to land sales in particular, may be understood.

The second part examines the circumstances in which specific sales were made. In the Cook Strait region, the first sales to the New Zealand Company were executed by chiefs of Ngati Toa and Ati Awa who had invaded and occupied the land only during the previous twenty years. They knew and cared nothing of sales and settlers and, in pursuit of their own quarrels, unwittingly agreed to the alienation of enormous amounts of land. Subsequently, with the aid of the British Government, they were able to retrieve much of it; but the settlers, nevertheless, had gained a foothold.

After the foundation of Company settlements at Wellington, Nelson, and New Plymouth, many of the Ati Awa went home to Taranaki. With the New Plymouth settlers as their close, land-hungry neighbours, they learned over the next fifteen years to use the sale as a weapon against one another in their tribal wrangles. Some chiefs, indeed, did not shrink from exacting the ultimate satisfaction: in 1860 they watched with satisfaction as the Government moved troops to protect surveyors on long-disputed land at Waitara. Fighting spread throughout the Province, and a few years later much of the Taranaki land was confiscated from its 'rebel' owners.

PART I. The Competitive Society

Ko te tohu o te Rangatira he pataka whakairo e tu na i
roto i te pa tuwatawata. (The sign of a chief is a
carved storehouse standing within a palisaded pa.)

William J. Phillips, Maori Houses and Food Stores

(Wellington, 1952), p.95.

CHAPTER 1

THE RESOURCES OF A COMPETITIVE SOCIETY

In a series of intermittent migrations dating, perhaps, from the tenth century, Polynesian voyagers reached New Zealand - the islands they came to call Aotearoa and Te Wai Pounamu - and established themselves at various places on the eastern coast.¹

1. The debate about the origins of the Maori continues. The Societies and the Marquesas have both been suggested as primary dispersal points; the archaeological, ethnological and linguistic evidence seems to favour the latter group. (Y.H. Sinoto, 'An Archaeologically Based Assessment of the Marquesas as a Dispersal Center in East Polynesia', in R.C. Green and Marion Kelly (eds.), Studies in Oceanic Culture History (Honolulu, 1970), Vol. 1, pp.105-132; G.S. Parsonson, 'The Islands and their Peoples', in Celsus Kelly (ed.), La Australia del Espiritu Santo (Cambridge, 1966), Vol. 1, p.81, n.1; C.F.W. Higham, 'The Role of Economic Prehistory in the Interpretation of the Settlement of Oceania', in Green and Kelly, Oceanic Culture History, Vol. 1, pp.165-174.) Some New Zealand archaeologists, who continue - despite recent research - to accept Andrew Sharp's appraisal of Polynesian navigational skills - suggest a single voyage to New Zealand, as early, perhaps, as 750 A.D.; but multiple origins, from separate East Polynesian sources, have by no means been ruled out. (R.C. Green, Adaptation and Change in Maori Culture (Albany, New Zealand, 1977), pp.15-16.) As to the date of settlement, Green (Adaptation, p.30) suggests that it was before 1,000 A.D.; R.C. Suggs, (The Island Civilisations of Polynesia, New York, 1960, p.194) that it was about 1,000 A.D.; Sinoto ('Assessment of the Marquesas', p.130) that it may have been later than this. Kenneth P. Emory, ('A Re-Examination of East Polynesian Marae: Many Marae Later', in Green and Kelly, Oceanic Culture History, Vol. 1, pp.73-92) pointed out that the settlement of New Zealand need not predate the development of East Polynesian marae; G.S. Parsonson ('The Secret History of the Sweet Potato', unpublished Macmillan Brown Lecture, University of Otago, 1969, Hocken Library) that it need not await the arrival in the Pacific of the kumara, which was a much later introduction. Beverley McCulloch and Michael Trotter, ('The First Twenty Years. Radiocarbon Dates for South Island Moa-Hunter Sites, 1955-74', New Zealand Archaeological Association Newsletter, 1975 18 (1): 2-17) have recently warned of the dangers of accepting radiocarbon dating in isolation from other evidence, and of the unacceptability of charcoal dates. More reliable moa bone results, they state, date the earliest South Island settlements at some 735 years B.P. David R. Simmons, in his survey of the traditional evidence (The Great New Zealand Myth; a Study of the Discovery and Origin Traditions of the Maori, Wellington, 1976) has shown that a date of 1350 A.D. for a Great Fleet migration may no longer be accepted, and has suggested a local dispersal area -

Fish and shellfish, at least, were plentiful, and on these they subsisted while they took stock of the resources of the new country. For the legendary Maui - in pursuit of the great unwieldy fish which he finally hooked and pulled writhing to the surface - had strayed far south of his tropical Polynesian homeland, into a temperate zone. Much of the North Island was heavily forested with podocarp and mixed hardwoods, with local areas of sand dunes, swamp - as in the Waikato and Wairarapa - and of low tussock grass on the central volcanic plateau. On the outskirts of the forest poor soil or falls of volcanic ash resulted in scrub or fern land, covered with dense bracken of from six to twelve feet high.² To Eastern Polynesians it was a strange landscape indeed, and it was small wonder that at first they huddled on the coast, where food was readily available.

As they slowly came to terms with the new environment, however, they exercised great skill in its exploitation. Without the aute (Brousonettia papyrifera, paper mulberry) and pandanus (Pandanaceae gen.) they learned to prepare the native flax (Phormium tenax, harakeke) to make clothing and mats. Nikau (Rhopalostylis sapida, New Zealand palm) and raupo (Typha muelleri, bulrush), and toetoe (Cortaderia richardii, sedge), manuka (Leptospermum scoparium, tea-tree) and mangemange (Lygodium articulatum, climbing fern) were used

1. (cont) Northland - as Hawaiki, the traditional Maori homeland. L.M. Groube, ('The Origin and Development of Earthwork Fortifications in the Pacific, in Green and Kelly, Oceanic Culture History, Vol. 1, p.163) adds that political refugees from the north east New Zealand coast - the traditional Canoe crews - may simply have migrated south overland.

2. J.T. Holloway, 'Pre-European Vegetation of New Zealand', in A Descriptive Atlas of New Zealand, ed. A.H. McLintock (Wellington, 1959; reprinted 1960), pp.23-4. As the present study is not concerned with the peoples of the South Island, the resources of that island are not discussed.

in the construction of their houses which - because of the colder winters - were often sunk partly into the ground to gain the extra protection of the soil.³ But the provision of food remained perhaps the greatest problem the Maori had to overcome. The breadfruit, the coconut, banana and plantain of the Marquesas and Tahiti did not, and would not grow, and those of the introduced plants which did survive - taro (Colocasia antignorum (L.) Schott), yam (Dioscorea sp., uhi), gourd (Lagenaria siceraria (Molina) Standl., hue), ti pore (Cordyline terminalis (L.) Kunth, cabbage tree) - had only a limited distribution and in any case never grew readily enough to do service as staples.⁴ The native moa (Dinornis sp.) was scarce in the North Island by the fifteenth century.⁵ In a land unsympathetic to human requirements, the new settlers reverted of necessity from an economy based on cropping and agriculture to subsistence hunting and gathering. Their chief diet was roots, supplemented by leaves, shoots and berries, and by fish, eels, rats and birds. For twelve months of the year they were engaged in the pursuit of food, moving as the seasons - and as the

3. Te Rangi Hiroa (Sir Peter Buck), The Coming of the Maori (Wellington, 1949; reprint of 1950 ed., 1970), pp.113-122. Scientific names have been taken from L. Cockayne, New Zealand Plants and their Story (Wellington, 1910; fourth ed. (ed. E.J. Godley) 1967). More commonly, I have used Herbert W. Williams, A Dictionary of the Maori Language (Paihia, 1844; reprinted Wellington, 1971). Scientific names of fauna have been dispensed with.

4. D.E. Yen, 'The Adaptation of Kumara by the New Zealand Maori', The Journal of the Polynesian Society [JPS], 1961 70 (3): 344-346; Te Rangi Hiroa, Coming of the Maori, p.91; Elsdon Best, Maori Agriculture (Wellington, 1925), pp.6-7, 12-13, 57; William Colenso Papers, Vol. 1, 'Maori Culture & Hawkes Bay Provincial Politics, 1836-98' [a binder's title], Alexander Turnbull Library, pp.146, 150, 195.

5. D.E. Yen, The Sweet Potato and Oceania: an Essay in Ethnobotany (Honolulu, 1974), p.305.

need for conservation of resources - dictated from one gathering ground to the next within the hapu (sub-tribal) territory.

The new vegetable staple was aruhe, the rhizome of the bracken fern (Pteridium aquilinum var. esculentum). Until the Solanum potato replaced it in the third and fourth decades of the nineteenth century, it was universally eaten and was often, indeed, the only food widely available during the winter and spring.⁶ It was however less instantly accessible than might at first be supposed. Though in many places fern covered the plains, the best root for eating - thick and brittle with few fibres - grew only in rich land, where it had long been undisturbed. 'One may search long in fern-covered land ere finding a good sample' Best reported, 'the smaller, tough roots that are too fibrous to break readily may be discarded as useless'.⁷ And an explorer, who with his Maori companions tried his hand at the task recorded that: 'Collecting fernroot is very difficult, there being but a small quantity eatable, and that the oldest, or deepest'.⁸ Each hapu

6. The testimony of early European observers on this point is unanimous. See, for example, The Endeavour Journal of Joseph Banks, 1768-1771, ed. J.C. Beaglehole (Sydney, 1962), Vol. 2, pp.19, 21; The Letters and Journals of Samuel Marsden 1765-1838, ed. John Rawson Elder (Dunedin, 1932), pp.301-303, 318, 326; J.S.C. Dumont d'Urville, Voyage de découvertes de l'Astrolabe, exécuté par ordre du Roi, pendant les années 1826-1827 - 1828-1829, sous le commandement de J. Dumont d'Urville (Paris, 1830-1835), Tome 2, pp.465, 467; R.P. Lesson, 'Extract from Voyage Autour du Monde ... sur la Corvette La Coquille (Voyage Round the World on the Corvette La Coquille)', trans. Diana Quarmby, in C. Andrew Sharp (ed.), Duperrey's Visit to New Zealand in 1824 (Wellington, 1971), p.91; Irish University Press Series of British Parliamentary Papers. Colonies New Zealand (Shannon, 1968), Vol. 1; 'Report from the Select Committee of the House of Lords ...' [1837-8 (680) 21] (Hereafter '1838 Report of Select Committee'), Evidence of J.L. Nicholas (p.4), J. Watkins (p.13), and J.B. Montefiore (p.57). The Maori did not in the first instance grow the potato for his own consumption.

7. Elsdon Best, Forest Lore of the Maori (Wellington, 1942), p.95.

8. Thomas Brunner, 'Journal of an Expedition to Explore the Interior of the Middle Island, New Zealand, 1846-8', in Nancy M. Taylor (ed.), Early Travellers in New Zealand (Oxford, 1959), p.265.

in fact had its own prized fernroot preserves, which might be many miles away from any settlement.⁹ Banks for instance describes the people of Mercury Bay collecting fern late in the spring from the hills, 'the roots of which they had got together in large quantities as they said to carry away with them.'¹⁰

The digging grounds were first visited in August when, every three years or so, the fern was burnt off. Firing in that month improved the roots, which could be injured if it were done out of season. The wood of only two plants - the kareao (Rhipogonum scandens, supplejack) and mahoe (Melicytus ramiflorus, whitey-wood) - was collected to be used for the burn.¹¹ Harvesting probably began soon afterwards, to replenish supplies consumed in the winter, and then continued on and off through the summer and autumn. The roots lay eighteen to twenty-four inches deep in the soil, and were extracted by men using the kaheru (spade) or the ko, the long pointed digging stick which could be manoeuvred in the ground below the surface. A line of men might work the ground together, pulling back their ko in unison to tear out a block of roots. Or two men might work together to raise the earth in large clods. Where the ground was especially hard,

two cords were fastened by one end to its upper part, and two men grasped these and put their weight on them, which much expedited the work of the two controlling the long shaft. The implement was then forced backwards and downwards, two pulling on the shaft and two on the ropes, and in this manner, several of such tools being so used, masses of stiff soil were torn away, and turned down, whereupon they were broken up and pulverised with smaller implements, and the fern roots picked out.¹²

9. Colenso Papers, Vol. 1, p.164.

10. Banks, Journal, Vol. 1, p.427.

11. Colenso Papers, Vol. 1, p.164.

12. Best, Agriculture, p.42, and see also pp.40-41; Richard Taylor, Te Ika a Maui; or, New Zealand and its Inhabitants ... (London, 1855), p.379.

Great care was taken not to break the roots, which were then piled up loosely to dry in the wind and sun. After about two weeks, the root was sorted into bundles according to its quality. The best (kowhiti, or mahunga) was selected for the chiefs. Some was kept aside to be stored in pa, against a siege; some (paka) was for use in general feasts. Roots of more ordinary quality were retained for everyday use, and the roughest sort was good enough for the taurekareka (captives taken in war) who lived with the tribe.¹³ It was all packed into baskets and kept in stores or sheds, to be prepared as required for eating by being steeped in water, roasted, pounded and peeled of its outer skin.¹⁴

Similarly the roots of several species of ti (Cordyline) were gathered during the spring and summer. About August or September the head of the ti plant was cut off so that the sap would return to the tap root. Digging started a couple of months later, and the roots were steamed for several days before being dried. The most valued

13. Colenso Papers, Vol. 1, pp.154, 166. The meticulous vocabulary of the Maori is further evidence of his intimate acquaintance with fernroot. Colenso and Best (Forest Lore, pp.85-87) give numerous words for various grades of root. In the north, for instance, root got from hard ground was collectively called paetu; that from soft loose red soils koauau, or kaita on the East Coast. Inferior sorts of root were known by the general term pakakohi, and the roughest sort was tarae. (Colenso Papers, Vol. 1, pp.154, 166.) Huke was deep soil where roots were obtained by deep digging; maota, a patch of fernroot not burnt off for many years, and tuaeke, inferior fern land. (Colenso Papers, Vol. 7, 'Maori Dictionary and Language Notes. 1836-98' [a binder's title], pp.4, 11.)

14. Colenso Papers, Vol. 1, p.165. 'To prepare fernroot by steeping in water and covering over for two or three days' was puru. Fernroot spoilt by over-steeping was poharu. Colenso Papers, Vol. 7, pp.18, 20.

root - that of the ti para - was however kept for the exclusive use of chiefs.¹⁵

Other vegetable foods - apart from young fern shoots and leaves such as those of the puwha (Sonchus oleraceus, sow-thistle) and poniu (Rorippa islandica) - were less readily available. The slow growth of the mamaku (Cyathea medullaris, tree-fern) meant that the tasty pith of its trunk and stems was enjoyed only occasionally. To cut the heart of the nikau (Rhopalostylis sapida) was to kill the palm, and to gain only a single, if delicious dish. The para fern (Marattia salicina) from which large rhizomes could be obtained, was scarce. And the roots of the pohue (Calystegia sepium), and the three-quarter inch perei (Gastrodia cunninghamii, orchid) roots, were extracted from the ground with great labour, and for little reward; it took many of them to make a meal.¹⁶

During the spring some species of fish were in season: the gurnard (kumukumu), for instance, and the tarakihi were taken.¹⁷ But the fishing season proper - and the season when Maori fishing equipment, in all its enormous variety, was put to full use, was summer. Hooks - barbed or unbarbed, one-piece or two-piece - were made of bone, shell, or wood; the bone ones fashioned by rasping and drilling, the wooden ones often the product of the careful training and securing of growing hardwood saplings into the appropriate shape.¹⁸ The fisherman was, as

15. Elsdon Best, 'Food Products of Tuhoeland ...' Transactions and Proceedings of the New Zealand Institute [TPNZI], 1902 35: 53-54.

16. Colenso Papers, Vol. 1, pp.174-175; Best, Forest Lore, pp. 110-111, 118.

17. Raymond Firth, Economics of the New Zealand Maori (Wellington, 1929; reprinted 1973), p.72.

18. Elsdon Best, Fishing Methods and Devices of the Maori (Wellington, 1929), pp.30-31, 37-39.

Best has emphasised, a master of the art of manufacturing twine and cordage: round, flat, square, single-rolled, two-strand; and all of it laboriously produced by rolling it under the hand on the bare thigh, and constantly moistening it with saliva.¹⁹ Then came the making of nets - dredge nets, bag nets attached to a hoop, scoop nets, baited trap-nets worked by a line, vast seine nets - of which each hapu made a section - which might be a mile or so long, and those of more modest size which could be worked by a few men near the shore.²⁰

In November the kahawai swarmed up the East Coast rivers, to be caught in vast numbers as they jumped at paua-lined shanked lures flashing through the water from the stern of canoes, or from the lines of fishermen standing far out from the banks. The paua shell was selected with great care, and the barb decorated with a few feathers of the kiwi or the kingfisher or blue penguin, which might be changed according to the time of day and the light of the sky. On shore the fish were scalded and cleaned, and steamed in huge ovens - some over 200 feet long and 4 feet wide - before being dried on racks.²¹ Mackerel (tawatawa), mullet, flounder and red cod were caught in large seines near the river mouths, to be gutted and drained, topped and tailed, split in halves, steamed, dried on raised stages and packed away in flax baskets. Sharks were either netted or attracted by a bait; as they dived their flailing tails were noosed, and they were often captured only after a long struggle.²²

19. Ibid., p.30

20. Te Rangi Hiroa, Coming of the Maori, pp.214-216.

21. Best, Fishing Methods, pp.36-37; Augustus Hamilton, Fishing and Sea-foods of the Ancient Maori, (Wellington, 1908), pp.30-32.

22. Ibid., pp.69, 29, 71.

Then there were other seafoods: sea eggs, collected at low tide, the edible parengo seaweed (Porphyra columbina), small crabs and shrimps scooped up in baskets, and shellfish: oysters, toheroa dug up on certain beaches, fresh water mussels groped for with the feet on the bottom of ponds or lagoons, paua - for which the women dived, prizing them off the rocks with a shaped wooden or bone stick - and pipi, sometimes collected from canoes by means of a many-pronged fork thrust into the sand, where the shellfish clung to it. They were all removed from the shell, steamed, strung on long flax threads and hung in the trees to dry.²³ And fresh water crayfish - caught in pots - were preserved in a most ingenious way. They were carried to a fresh-running stream on shore, into which

they would be securely and closely packed in rows across the stream, like tiles on a house-top, and kept down with stones placed on them. When dead they were taken out, and their shells stripped off. These came off very easily, and the whole body of the fish, with its legs and feelers, came out from the shell in one piece unbroken. These were quickly prepared, flattened, with their legs confined and pressed on their bodies, and hung up²⁴ high in tiers on erected stages in the sun and wind to dry...

If summer was a busy time for digging fern root, it was also the season in which more delicate forest foods were collected: edible fungi (harore), and tawhara, the fleshy sweet flower bracts - up to four inches across - of the kiekie (Freycinetia banksii) which people went in large groups to enjoy. Tutu (Coriaria sarmentosa) berries were gathered, and the juice expressed to make a more tasty dish of fern root.²⁵

23. Ibid., pp.13-14; Best, Fishing Methods, pp.60-61, 66.

24. Hamilton, Fishing, pp.70-71.

25. Firth, Economics, p.74; Colenso Papers, Vol. 1, pp.177, 180; Rod. McDonald, Te Hekenga. Early Days in Horowhenua, Being the Reminiscences of Mr Rod. McDonald, compiled and written by E. O'Donnell (Palmerston North, [1929]), p.58.

Tawa (Beilschmiedia tawa) kernels, which in places like the Urewera were eaten in large quantities, were separated from the berries by being beaten on mats, and then steamed in a carefully prepared long hangi (earth oven): 'After the fire is raked out and the oven arranged a layer of karamuramu [Coprosma robusta] leaves is used to line the oven with, then a layer of fronds of the heruheru fern [Todea superba, Todea hymenophylloides] is put in, then a layer of manono (syn., raurekau) [Coprosma australis] leaves, then one of leaves of the rau-tawhiri [Pittosporum tenuifolium], and finally a layer of fronds of the paraharaha fern [Phymatodes diversifolium]. The kernels of the tawa are then poured in loose and covered with the same covering (Rautao ...) and the oven closed.'²⁶ The steaming went on for forty-eight hours, during which the flavour of the paraharaha leaves permeated the tawa, neutralising that of the kernels themselves. When cooked, the kernels were spread out to dry and then stored. They were smoked and stone boiled and finally pounded or mashed before being eaten.²⁷ And if further evidence were needed of Maori intimacy with the New Zealand flora, and of the lengths to which they would go to vary their diet, one need only adduce the process to which the pollen of raupo flowers (pua) was subjected. Taylor describes it minutely:

The first thing which was done, was the erection of a shed near the swamp, from which the pollen (pua) was to be collected. The process of gathering it always commenced at daybreak; for when the sun began to shine, the feathery seeds blew about, they had then to discontinue their work until the evening, when they recommenced the work. The gathering of the flower heads of the raupo was continued for several days, until a sufficient quantity of pollen was

26. Best, 'Food Products', p.56.

27. Ibid., pp.56-57.

obtained. They then cut a quantity of flowers of the kakaho, (arundo australis), which being strewed on the floor of the shed, the pua was heaped upon them. It was daily carried into the sun to dry, and again returned in the evening to the shed, lest it should become damp with the dew. Parties of from fifty to sixty men, women, and children, often assembled for this work; each family having its own division (tuakoi) of the shed to attend to. When the process of collecting was finished, they went into the forest to procure the bark of the hinau (eloeocarpus hinau), which they stripped off the trees in large pieces, twelve or fourteen feet long. These were doubled up so as to make a bag, one end being left open to form a mouth, while the sides were sewed with flax, leaving only a small hole at one of the lower corners. Being set on their ends, they formed long bags, almost as tall as a man, which were propped up by poles. They then took the mats (tapaki), which had been previously plaited by the women of split flax, and spread them on the ground by the side of the bag (pu), part of them stripped the flower from the stem: this process was called uhu. A quantity being shred, it was put into bags, which had been plaited with great care of finely split flax, so as to allow only the smallest particles to escape. Men only were allowed to sift the pua, which was done by shaking these bags over the mouth of the larger one, while the tohunga, or priest, repeated a karakia.

The principal person of each family had to sift it ... [meanwhile] others were plaiting small baskets (rourou, kapukapu, paro) of green flax, which are lined with leaves of the rangiora or pukapuka [Brachyglottis repanda], to place the sifted pua in; the siftings (tutae papapa), or down, being thrown away. The plug having been removed from the bottom corner of the bag, the pua flowed out, which was caught in the baskets, carefully avoiding to press it down, in which state it resembled small seeds. The baskets being filled they were covered over with leaves as before, and then served up (runa), which being done, they were placed in the ovens (hangi) ... When taken out, the substance still retained its resemblance to seeds; but the baking converted it into a solid mass.

The principal person of the party then divided them among the people. Some of the loaves thus made were from six to eight inches in diameter, and thick in proportion. The smaller ones were generally eaten at the time, the larger ones being reserved as presents, for state occasions, or for supplies during war. A loaf of seven inches in diameter was sufficient to satisfy two full-grown men.²⁸

28. Taylor, Te Ika a Maui, pp.391-392.

Autumn saw the fruiting of the karaka (Corynocarpus laevigata); May that of the hinau (Elaeocarpus dentatus). Hinau berries were collected in enormous numbers, and set to steep for a year or so in the hull of a canoe. They were prepared by being rubbed between the hands until the inside nut was clean, and could be discarded. The stalks and pieces of broken skin were strained out, and the water drained off, leaving a small amount of coarse grey meal. The meal was dried, and finally shaped into a cake with a little water, and steamed.²⁹ Karaka fruit, gathered from the coastal karaka groves into innumerable baskets, underwent a lengthy steaming in very large, specially built hangi before being transferred to old kits (kete) and put in running water. When all the husks had been removed, they were spread in the sun to dry and stored in baskets.³⁰

The great business of the autumn, however, was eeling. As the eels (tuna) began their migrations to the sea, each hapu was off to tend its various weirs, scattered up and down a major river, or in a number of streams throughout the district, or at the outlet of lakes and swamps. Some weirs (pa tauremu) spanned the stream in a double V shape, with a vast funnel-net attached to each opening; some consisted of three parallel fences in the centre of the stream. Others - where flooding was likely to send logs and debris downstream - were no more than a single fence erected in line with the current along which the eels slithered until they fell into the net at the end. Late in the summer, when lakes and streams were at their lowest, the weirs had been carefully repaired: worn posts were removed, and new ones driven with mauls into the stream bed, and fern or manuka or raupo down packed between the stakes. The eels began to run with the autumn rains, each

29. Colenso Papers, Vol. 1, p.173.

30. Ibid., p.163.

species in turn; in the Horowhenua district, for instance, the brown copper-bellied eel was on the move in February and March, the silver eels (papaka) not till August and September. Only moonless nights were suitable, when some hundred eels at a time might be taken in each trap. The traps were emptied hourly, and the catch kept alive in closed traps in the water, or in pits dug by the bank until it could be cured. Later the eels were cut open and cleaned; their heads, tails and backbones were removed, and - to prevent any fat being lost - they were dried slowly over a fire for several days.³¹

Lamprey eels (piharau) on the other hand were taken in June and July, as they travelled in the opposite direction, working their way up the side of the river against the current. For them a different sort of trap was prepared: a fence at right angles to the bank, with openings left at intervals. The lamprey, working his way along the fence, was caught at the opening and swept downstream by the force of the water, into the waiting net at the opening of the hinaki (trap).³²

In the winter - from April to August - the hapu repaired inland, following the rats to their favourite high forest ridges. Fattened by their diet of berries and beech mast, the rats were caught by pits or spring traps placed at intervals on the very long paths which they made for themselves. Lest any obstruction turn the rats aside, the trappers removed every bit of debris from the path and - as the traps could hold only one victim at a time - they did the rounds several times

31. Best, Fishing Methods, pp.110, 122, 85, 96; Te Rangi Hiroa, Coming of the Maori, pp.233-234; C.S. Curtis, 'Notes on Eel Weirs and Maori Fishing Methods', JPS, 1964 73 (2): 167-169; William Yate, An Account of New Zealand and of the Church Missionary Society's Mission in the Northern Island (London, 1835; reprinted Shannon, 1970), p.109.

32. Te Rangi Hiroa, Coming of the Maori, pp.234-235.

during the night, to empty and reset them. The catch was taken home at dawn, and the rats were plucked of their long dark hair and packed in layers in a hangi, on top of which a fire was lighted. For two or three days the fire burned, and the heat melted the fat of the plumpest rats just beneath the surface, which gradually seeped down so that all the contents of the oven were cooked. They were then ready to be preserved as huahua, with their fat poured over them in calabashes.³³

Winter was also the bird-snaring season, when pigeons (kereru) and tui gorged themselves on the berries of the miro (Podocarpus ferrugineus). Though birds could be taken by hand in the cold winter's dawn, or speared by a patient hunter crouched in the branches, the favoured method was by snares: noose snares set in known drinking places, or on wooden troughs by the berry trees; or perch snares, roughly the shape of a small r, from the arm of which a running noose was suspended. The fowler who worked with perch snares used a ladder of plaited ti to climb high into his tree, and hauled up the makings of a small platform where he could steady himself. As a bird landed near him, he must be continually ready to pull the noose of any of his perches. In some areas, however, platforms were not used, and the spearing - or snaring - was done instead from the ground, by means of rods of manuka fitted carefully together and manoeuvred so skillfully that birds could be taken from the heights of trees. Conversely, tui and kaka were persuaded down by decoy birds. Crouched beneath a favourite tree within a four-sided shelter of saplings, camouflaged by ponga (Cyathea dealbata) or mamaku fronds, the fowler waited for his prey to alight - in response to the cry of the decoy - where its feet would be caught in one of his snares.³⁴

33. T.W Downes, 'Maori Rat-Trapping Devices. Whanganui District', JPS, 1926 35 (3): 228-231. In Whanganui the rat was called kiore tawai or pouhawaiiiki. See also Best, Forest Lore, pp.431, 434.

34. Te Rangi Hiroa, Coming of the Maori, pp.93-98; T.W. Downes, 'Bird Snaring, Etc., in the Whanganui River District', JPS, 1928 37 (1): 19-26; James West Stack, Early Maoriland: Adventures of J.W. Stack, ed. A.H. Reed (Dunedin, 1935), pp.171-172.

Noose snares required less concentration by their operators, but more effort in the preparation. The nooses were made in their thousands, from leaves of the ti split into very narrow strips, of which only two were used from the leaf, one from either side of the mid-rib. The strips were smoked over fires of kahikatea (Podocarpus dacrydioides), soaked, hung to dry, and then shaped into snares of equal size before being attached to the wooden uprights or troughs.³⁵

Thomas McDonnell has left a description of some three miles of forest being set out in traps, with 'innumerable perches for the birds to light and plume themselves upon, but rows of snares were placed in every direction, and meshes out of number.'³⁶ The whole district was strictly tapu (under religious or superstitious restriction), and was entered by the men only once each day, before sunset, when the catch was collected. Elsewhere troughs might be scattered over a much wider area, and each man of a snaring party told off to visit up to ten troughs twice during the day. Since favourite trees were often on ridges, water had to be carried up from the valleys, either in gourds or in absorbent mosses. Where streams or pools could be used, the surface was covered over with branches so that only one space was left, in which nooses were set. Troughs without nooses would be placed sometime before the season started, to accustom the birds to drinking there.³⁷

Once the catch was brought in, there came the immense labour of plucking the birds and preparing them for cooking. The bones and entrails were removed through a small hole made below the wing, the legs were cut off and the head tucked into the body. Some eighty to a

35. Downes, 'Bird-Snaring', p.6. Best, Forest Lore, pp.288, 290.

36. Quoted in ibid., pp.296-297.

37. Ibid., p.285; Downes, 'Bird-Snaring', pp.2-6, 9.

hundred birds were packed tightly into each vessel, to be steamed and finally stored in elaborate containers with their fat poured over them. Some (patua) were made of the inner bark of the totara, steamed and softened so as to be suitably fashioned, and tightly tied with lengths of vine (aka whiriwhiri); others from large gourds, from which the stem was cut off to make an opening. These calabashes were fitted with closely woven phormium basket fabric; for display they were supported by finely carved legs of matai (Podocarpus spicatus), fitted with a carved top-piece, and decorated with bunches of feathers.³⁸

From one district to another, of course, the time and method of catching birds and fish differed according to their habits. During the summer, for instance, eels might be speared or even pulled by hand from their holes in the river bank. Stack describes a marshy region on the East Cape, at which thousands of large eels were caught in the autumn by men flailing around in the 'liquid mud' with hooks.³⁹ On the East Coast too, the kokopu (small freshwater fish) was trapped during its autumn runs in specially constructed small weirs, while in Lake Taupo it was lured by a bait into circular bag net traps (pouraka) weighted into deep water, or into large bundles of dry fern tied to short ropes strung from a long parent rope.⁴⁰ And in the Ureweras women armed with a torch in one hand and a scoop net or bob in the other stalked the fish on dark nights as it drifted upstream.⁴¹

38. Ibid., pp.9-14; Best, Forest Lore, pp.323-324.

39. Stack, Early Maoriland Adventures, pp.168-171.

40. Te Rangi Hiroa, Coming of the Maori, p.236; John Te H. Grace, Tuwharetoa (Wellington, 1959), pp.510-511. Grace notes that the Lake Taupo kokopu is a gudgeon (Galaxias brevipinnis).

41. Best, Fishing Methods, p.184.

Freshwater fishing indeed was all that was available to the Tuhoe, for - like the people of Taupo and of Rotorua - they had no eels and, until the nineteenth century, no access to the coast. The Horowhenua district, on the contrary, was rich in eels, but boasted very few miro trees, so that there were few opportunities therefore for setting trough snares for pigeons. Here they were taken instead in the summer, by the perch snare worked from a platform high in a rata tree (Metrosideros robusta). The tui was caught as it fed on kowhai (Sophora sp.) or konini (flower of Fuchsia excorticata) flowers in the spring, by a noose attached at the end of a rod.⁴² Common to every hapu, however, was the guiding principle that no resource be depleted by being overworked. Birds and rats were caught in the winter not only because they were fat, but to spare them interference during the breeding season. Inanga (whitebait) were left strictly alone as they moved upstream to fatten and mature, though their run downstream in the autumn lasted at most three days.⁴³ At the north, where kapeta (dogfish) swarmed in the harbours in the spring, the season was restricted to two days - as named by the chief - the canoes working on each only from one high tide to the next.⁴⁴ And inland lakes, the habitat of ducks and torea (oyster catchers) and pukeko (swamp hens) were visited only once each year, when the birds were hunted for several days and nights. Outside that time, no one might go near them.⁴⁵ Within the general pattern of seasonal employment, in short, each hapu followed a timetable dictated by the availability in its own area of particular foods.

42. McDonald, Te Hekenga, pp.42-43.

43. Ibid., pp.52-53.

44. Firth, Economics, pp.227-229.

45. Frederick H. Spencer, Reminiscences of an Old New Zealander [Reminiscences, 1838-1904], MS. in Alexander Turnbull Library, p.11.

With the later introduction of the kumara (*Ipomoea batatas* (L.) Lam.) - for there is no substantial evidence that it arrived earlier than, perhaps, the beginning of the seventeenth century - a new succession of seasonal tasks was added to the Maori calendar.⁴⁶ For the first time agriculture - or in some areas, it has been suggested, horticulture - came to be widely practised; but at the expense of an effort which clearly shows how accustomed the Maori had become to the idea that no food was easily obtained.⁴⁷ In the Polynesian homelands, after all, kumara grew wild, unimportant and often untended. Where it was cultivated, propagation was by cuttings from the stem of the plant.⁴⁸ But in temperate New Zealand, where the plant could neither flower nor survive the winter in the ground, and the entire tuber had to be saved as seed, the kumara grew only because of the care and ingenuity lavished on its cultivation and storage. It produced a single crop a year, and the tubers of the several varieties were all small.⁴⁹ Yet because he

46. Though a South American origin for the kumara is now no longer disputed, the twin problems of the date and method of its arrival in the Pacific have continued to puzzle archaeologists and ethnobotanists. (For a summary of the present state of the debate see Yen, Sweet Potato, pp.291-296, 305-307.) More recently, G.S. Parsonson, ('Secret History') has suggested that the kumara did not arrive in Eastern Polynesia till 1595 - when it was introduced into the Marquesas by Peruvian Indians aboard Mendana's ships - a fact which would account for its insignificant role both in the Marquesan and in other Polynesian economies. Such a thesis would of course demand later contact between the Marquesas and New Zealand than has generally been admitted; but there seems no particular reason to insist that the odd voyage from the Marquesas might not have been made early in the seventeenth century. Edward P. Lanning, too, ('South America as a Source for Aspects of Polynesian Cultures', in Green and Kelly, Oceanic Culture History, Vol. 1, p.182) has noted that neither the sweet potato nor the totora rush 'has yet been firmly dated in Polynesia earlier than 1532, when the Spaniards arrived in Ecuador ...'

47. J.W. Macnab, 'Sweet Potatoes and Maori Terraces in the Wellington Area', JPS, 1969 78 (1): 108.

48. In Tahiti, for instance, the kumara was eaten only when breadfruit was scarce; Oliver suggests this was because of the labour involved in its cultivation. Douglas L. Oliver, Ancient Tahitian Society (Canberra, 1974), Vol. 1, pp.250-251. See also The Marquesan Journal of Edward Robarts, 1797-1824, ed. Greg Denning (Canberra, 1974), p.246.

49. Yen, Sweet Potato, p.62; Marsden, Letters and Journals, p.488. Stack described one variety which was seven inches long, 'and a little thicker than a man's thumb' (Early Maoriland Adventures, p.186). See also Best, Agriculture, pp.56-57.

knew that no other crop could be grown more successfully, the Maori persisted.

The kumara preferred a light porous soil, which retained the warmth and was well-drained. But such soils were limited to only a few areas of New Zealand: parts of the East Coast, the Auckland isthmus, Northland and Rotorua. Elsewhere, they had to be manufactured. Year after year, kits of fine gravel from river beds or pits were carried - often uphill - to be spread on cultivable ground.⁵⁰ In the Nelson area at Waimea T. Rigg and J.A. Bruce estimated that some thousand acres of soil had been prepared:

In its natural state, the topmost layer of soil was a loam some eighteen inches thick. Underneath the loam was fine sand ten to thirty inches thick, and underlying that, several feet of coarse sand and gravel. The Maoris dug pits into the two lower layers and after picking out the largest stones, spread the remaining gravelly sand on the surface to a depth of ten to sixteen inches.⁵¹

And some 5,000 acres of such soils were estimated to have been built up in the Waikato-Waipā region.

Kumara soil was also improved organically. It has been recorded that in Taranaki compost was made from a mixture of suitable flood silts or sand, and fern (Asplenium bulbiferum, mouku) and young branches and leaves of various coprosma shrubs.⁵² The Waimea soil was found to contain charcoal to a depth of twelve inches to sixteen inches, which could only have resulted from the burning of far larger quantities of wood than were available on the ground itself. The high soil content of available phosphoric acid and of that soluble in hydrochloric acid further argued 'a long continued policy of burning wood, or more probably scrub, taken from the other lands in the vicinity ... On the richer portions of the Maori gravel lands, several hundred tons of

50. Colenso Papers, Vol. 1, p.144; Best, Agriculture, pp.60-62.

51. Summarised by Macnab, 'Sweet Potatoes', p.96.

52. Editorial Note, in T. Rigg and J.A. Bruce, 'The Maori Gravel Soil of Waimea West, Nelson, New Zealand', JPS, 1923 32 (2): 93.

vegetable matter must have been burnt on each acre.'⁵³

Sometimes, however, it was necessary to modify not merely the composition of the soil but also the shape of the terrain. J.W. Macnab has studied the construction of cut and fill terraces on the Whitireia peninsula at Porirua, in an area where possible sites for cultivation were few indeed. On the wide slopes of the peninsula, terraces were formed by moving soil, and depositing it on the outer edge. 'Terraces ... were even and the slopes between them were of similar grade and regularity ... It was a major effort, for the largest terrace was over two hundred feet long and averaged more than twelve feet in width, and in this one flight [surveyed for Macnab] forty-two terraces were mapped.'⁵⁴

The ground was prepared for planting in the spring. The kumara made heavy demands on the soil, so that new sites were sought every two to three years. The burning off was done before winter, and the debris gathered together in piles; on alluvial sites drainage channels had been cut before the ground became soggy. Now the stones were carried away, the earth turned up with the ko at exactly regular intervals where the kumara mounds were to be formed, and the soil broken up and crumbled between the hands.⁵⁵ The planting itself was quickly done; more laborious perhaps was care of the growing crop. It was always - as every visitor noted - kept assiduously free of weeds: 'with incredible labour and patience,' Marsden wrote, '[they] root up everything likely to injure the growing crop.'⁵⁶ A more vicious enemy was the caterpillar

53. Rigg and Bruce, 'Maori Gravel Soil', pp.89-90. See also p.88.

54. Macnab, 'Sweet Potatoes', p.108.

55. Archdeacon Walsh, 'The Cultivation and Treatment of the Kumara by the Primitive Maoris', TPNZI, 1902 35: 14-16.

56. Marsden, Letters and Journals, p.100.

of the hotete (larva of Sphinx convolvuli, Hawk moth), which could attack the plants in enormous numbers. The young plants were examined twice a day for signs of larvae; yet by the end of summer small basketsful of fully grown grubs were still being carried away daily to be burnt.⁵⁷

Breakwinds were often erected in exposed areas, and small fences of reeds would seem perhaps to have been protection for the plants against rats.⁵⁸ A rather different defence against rats was described by Colenso, who saw two elderly men sitting holding handles of flax rope, from which numerous cords - strung with mussel shells - extended all over the garden. All through the night they sat, pulling every few minutes on their lines, to frighten away intruders.⁵⁹ At a later period, the pig, if no less destructive, was at least a more readily detectable pest; but as the Maori were unaccustomed to post fencing, they guarded the crop against their attentions in person. It was a tedious and an unremitting task, and Earle for one thought that 'the constant watching the hogs require to keep them out of the plantations, consumes more time than would effectually fence in their whole country ...'⁶⁰

But the most important and delicate operation of all came in April, with the harvest. The kumara is notorious for its extreme sensitivity to bruising and moisture, and for the speed with which a damaged root affects those around it. Throughout the lifting, sorting, the drying and storing of the tubers, they had therefore to be handled with extreme care.⁶¹ In Northland at least the kumara were stored above

57. Stack, Early Maoriland Adventures, p.184; Best, Agriculture, p.70. Marsden (Letters and Journals, pp.178-179) notes a plague of hotete in the far north in about 1817.

58. Walsh, 'Cultivation and Treatment', p.22.

59. Colenso Papers, Vol. 1, p.146.

60. Augustus Earle, Narrative of a Residence in New Zealand. Journal of a Residence in Tristan da Cunha, ed. E.H. McCormick (Oxford, 1966), pp.98-99.

61. Best, Agriculture, pp.71, 118.

ground, in handsome, sturdy houses; this may also have been the case in areas such as Wellington where the clayey soils made underground storage unsuitable.⁶² Storage houses were constructed of dressed slabs, and covered with two or three layers of raupo to make them completely air tight. The lower part of the outside walls was further protected by mangemange or totara (Podocarpus totara) bark; inside they were lined with toetoe reeds which were renewed almost every year. The roof was of raupo lashed with mangemange, and the door might be carved and stained red with ochre.⁶³ Crozet was shown through such a house in the Bay which was some twenty feet long by ten feet wide, and those at one of Hongi's pa were thirty feet by twenty feet wide.⁶⁴ On occasion common (uncarved) pataka (elevated storehouses) were used, and even seed tubers might be kept merely on whata - four-posted roofless platforms, very well covered in.⁶⁵

Further south, where the climate was less kind, new storage techniques were developed to create the snug conditions which best suited the kumara. Some rua (pits) - especially those used within pa -

62. Thus Butler (Earliest New Zealand. The Journals and Correspondence of the Rev. John Butler, compiled by R.J. Barton (Masterton, 1927), p.265) described the Nga Puhi at Waimate in 1823 'busily engaged, some on making houses to receive produce, and some on making baskets for the purposes of carrying it to their store houses ...'; Polack distinguished between 'powaka' [pouwaka], the houses on legs where the valued possessions of chiefs were kept, and kumara houses, 'expressly built for the storing of that favourite vegetable ...' which though not on legs had raised floors. J.S. Polack, Manners and Customs of the New Zealanders ... (London, 1840; reprinted Christchurch, 1976), Vol. 1, pp.211-212. See also Colenso Papers, Vol. 1, p.138; Yate, Account of New Zealand, p.154.

63. Walsh, 'Cultivation and Treatment', p.22; Polack, Manners and Customs, Vol. 1, p.212.

64. Elsdon Best, Maori Storehouses and Kindred Structures (Wellington, 1916; reprinted 1974), pp.53-54.

65. Ibid., pp.27, 43. Hare Hongi recorded that his people (Nga Puhi) stored part of their seed tubers in this manner, so that in case of decay among pit-stored tubers, there would still be some available. Quoted in ibid., p.35.

were mere holes in the ground, sunk to a depth of some five feet below the surface, and narrowing to a small entrance hole which was framed with timber and covered with a lid. Elsewhere artificial caves were formed in the sides of cliffs, or rectangular chambers excavated in sloping ground were roofed over and were entered by a door in front. The largest stores (rua tahuhu), however, were excavated on level ground, up to twenty-five feet or more long. The walls inside were often lined with timber or sections of tree fern trunk. The roofing slabs were supported by three posts: the slabs were of totara, over which a further layer of slabs cut from the aerial roots of tree ferns was laid. Then came a thick layer of thatch of toetoe or manuka bark, and the whole was finally covered with earth, heavily trampled down. The door - some four feet high - lifted into the front wall between two jambs, and was wedged in at the bottom to a wooden groove and held by pegs. Often there was a verandah over the front three feet or so deep, supported by carved posts.⁶⁶

Great care was taken throughout the construction of such a store that any storm water or moisture which might accumulate inside, was conducted away from the tubers. When the crop was ready to be stored, the floor and walls were thickly lined with manuka brush and fern fronds, and stacks were formed from the back towards the front, on either side of a central passage-way. Each kumara was placed individually into stacks which were vertical on all sides, some five feet high and four feet wide.

But although the stacks are piled separately, so that each could stand alone, yet no space is left between them ... every endeavour was made to close any hole therein by which a rat might enter, small-sized tubers being inserted into

66. Ibid., pp.98-103. On semi-subterranean storage generally, see ibid., pp.77-108.

such apertures. All this was with the view of compelling any raiding rat to attack the outside of the stack, where the damage wrought would soon be detected.⁶⁷

The manufacture and maintenance of storage facilities - and of implements - was, in short, as expensive in time, labour and ingenuity as the production and gathering of the food itself. And yet it must not be supposed that, for all their unstinting efforts, the population was rewarded with a substantial and varied diet.

A Maori generally ate two meals a day except in winter when, for want of food, he had but one. Generally, he ate fern root, which might be garnished with a relish (kinaki): puwha perhaps, or wild cabbage.⁶⁸ In season, he might be fortunate enough to have an accompaniment of fish, or berries, or a few kumara. It is of course true that the average Polynesian did not eat any more spectacularly; an ordinary Tahitian household, for instance, ate a meal which consisted of 'a vegetable staple, a morsel of flesh or fish, a piquant sauce, a beverage of water or coconut liquid, and a more or less liquid vegetable or fruit "pudding".'⁶⁹ More revealing, however, is the total absence in New Zealand of the sort of individual self-indulgence not infrequently met with among chiefs elsewhere in Polynesia: "It may be thought" wrote Banks, after describing a meal which he watched with fascination, "that I have given rather too large a quantity of provision to my eater when I say that he has eat 3 bread fruits each bigger than two fists, 2 or 3 fish and 14 or 15 plantains or Bananas, each if they are large 6 or 7 inches long and 4 or 5 round, and conclude his dinner with about a quart of a food as substantial as the thickest unbaked custard; but this I do

67. Ibid., p.104; also p.99.

68. Taylor, Te Ika a Maui, pp.167-168; Yate, Account of New Zealand, p.109.

69. Oliver, Tahitian Society, Vol. 1, p.223.

affirm that it is but few of the many of them I was acquainted with that eat less and many a great deal more."⁷⁰

Among the Maori, a man of consequence was often to be found eating a simple meal of fern root, with a little dried fish. In Poverty Bay, W.B. Monkhouse was present when 'two old Men, who appeared as chiefs' took their dinner.

They were seated upon the grass - a young man had made a fire a short distance from them - he had a quantity of roots each about nine inches long, a flat large pebble, and a wooden mallet by him - some of these roots were roasting upon the fire he attended and turned them till they were thoroughly heated - he then beat them, one at a time, doubled and beat them again, and when fully softened [sic] he threw them to the Chiefs, who now were employed eating a lobster that had been dressed but was now cold. A woman had brought them this lobster, and afterwards brought them another, from a contiguous hut.⁷¹

It was, admittedly, October, when the crops had only just been planted. But it might have been supposed - bearing in mind that by far the greatest proportion of seasonal foods was cured for future use - that more than enough had been put away for the winter and spring. What of those endless racks of shark and eel, the piles of roots and seaweed drying in the sun; what of those acres of kumara, the innumerable birds and rats encased in their fat; of all the calabashes of tutu juice and baskets of steeped karaka? The entire economy was geared not merely to procuring food, but to laying it in and preserving it. And it was accumulated not for everyday use, but for the hapu and tribal food stores: for the provision of hospitality, for gifts to be made or returned to other communities, and for the feasts given on ceremonial occasions. The delicacies so arduously gathered and cured throughout the year were an expression of the wealth of the hapu, in both labour

70. Banks in Tahiti, August 1769. Banks, Journal, Vol. 1, p.347.

71. Journal of William Brougham Monkhouse, text in The Journals of Captain James Cook on his Voyages of Discovery. The Voyage of the Endeavour 1768-1771, ed. J.C. Beaglehole (Cambridge, 1955), Appendix IV, p.585.

and resources. Such wealth, to be appraised, must be displayed to outsiders. In the exhibition and exchange of food then, the hapu advertised - indeed boasted - their competitive capacity. They gifted and feasted not in order to dispose of surpluses - for they never thought to use their prized foods to fill what M.D. Sahlins has termed 'their immediate consumption needs' - but because food was the recognised yardstick of wealth.⁷² And to amass the necessary stores, they were obliged often to deny themselves:

Food for the feast is now piled high,

 What matters it if all my food is eaten?
 It was I who persevered thro' the seventh and eighth months,
 Indeed through the long year;
 And we sought for scraps as food until the harvest time.
 The song of the food-planting was raised,
 The only food that escaped was the albatross and the black petrel!
 Indeed I have suffered severe privation,
 In order to gather all this food about me ...⁷³

Visitors might be expected, first, in small informal parties, led by a chief or by his representative, anxious to keep abreast of the more important affairs of his chiefly relations. Specifically, he might wish to seek advice in the matter of a quarrel with some third party, to choose a spouse for some member of his family, to judge a potential son-in-law as a leader in his own village. These were occasions when, though

72. Sahlins distinguishes two senses of the word 'surplus': the "immediate surplus", which refers to 'the ability of food producers to acquire, in a single exploitative activity, an amount of food beyond their immediate consumption needs, or an amount greater than would be needed before production is resumed again'; and the surplus comprising 'that food which the producer has left over after a full cycle, e.g., a year of production.' Marshall D. Sahlins, Social Stratification in Polynesia (Seattle, 1958; reprinted 1971), pp.108-109. The Maori cannot strictly be said to have produced a surplus in either of these senses.

73. Thus the complaint of Ruru of Tuhoe, in his waiata makamaka kaihaukai (song for a feast presentation). Song 244, in A.T. Ngata (coll.), Nga Moteatea (The Songs), trans. by Pei Te Hurinui [Jones] (Wellington, 1970) Part 3, pp.222-223.

there might be no actual feast, the guests were regaled with the choicest foods available.

Kahu, the brother of Tamatekapua, travelled with his son-in-law Ihenga to visit Ihenga's brother Taramainuku, living on the west coast north of Auckland. Taramainuku's wife set before them toheroa, eels, hinau, kumara, hue, and a basket of para roots - a food new to Kahu which so delighted him that he named the place Kaipara (place where the para was eaten).⁷⁴ Many generations later Marsden and his party - honoured guests as they journeyed about the north of the island - were always offered kumara. Marsden records the distress of one chief whom he surprised with no kumara on hand, so that he was forced to offer him fern root. During the night, however, kumara were sent for from a neighbouring village, and those which Marsden's party could not eat for breakfast were loaded into his canoe when he left.⁷⁵

Often, too, Marsden was supplied with a new delicacy - pork. But like many another pakeha traveller, he was always in a hurry, astonishing his hosts by his refusal to wait till they rounded up their pigs to dress in his honour.⁷⁶ On one occasion, he mortified Hongi, when he actually interceded for the life of an enormous sow, evidently the pride of the village, which was marked for his dinner.⁷⁷ What chief would not have felt disgraced at Marsden's implication that the village could ill afford to treat their guests properly? The ancestor Paoa had after all been driven in shame from his home on the Waikato River because the continual pressure of visitors on his food supplies left him on one occasion without the means of entertaining his own brother. The crowning blow

74. Edward Shortland, Maori Religion and Mythology (London, 1882), p.79.

75. Marsden, Letters and Journals, pp.158-160. The chief was Kingi Hori (King George) of Kororareka.

76. See, for example, ibid., pp.106, 109.

77. Ibid., pp.147-148.

had been his wife's public confession that they had barely enough for themselves ("Ka mate aku tamariki i te kai." (My children shall become starved for food.)), but that she would rather keep the remainder than expend it to maintain her people's reputation.⁷⁸

On occasions of importance to the whole hapu much larger numbers of guests might be expected, and the highlight of the visit for both parties was the quantity and quality of the food distributed. Feasting accompanied every major event in the lives of the high-born: birth, betrothal, the completion of tattooing, marriage, death, and notably the hahunga, the anniversary of death, when the bones were deposited in their final resting-place. The most lavish feasts were those provided for competitive purposes (hakari, or kaihaukai), for no other reason than to enhance the prestige of the hosts, by outdoing all previous feasts held in the district. Such displays of food served the social and often political purpose of establishing the standing of each hapu within the tribe. They created obligations, binding well-feasted kin to lend moral or physical support in quarrels, or perhaps to abstain from assisting opponents who might also have sought their support.⁷⁹

But visitors must also be alert to the more ominous implications of a proffered gift or feast: a reservation, a warning, or actual hostility. Pei Te Hurinui describes a wedding feast at which, it seems, the feelings of the bride's people were expressed in their failure to provide an expected delicacy. Ngati Raukawa-Maniapoto were renowned for their huahua; but when Ngawaero, daughter of their chief Tukorehu married the Ngati Mahuta chief Te Wherowhero, the huahua, alone among the food contributed by both peoples, was missing. Perhaps Ngawaero's people

78. Leslie G. Kelly (Te Putu), Tainui: the Story of Hoturoa and his Descendants (Wellington, 1949), pp.187-188.

79. Best, 'Food Products', pp.103, 107; W. Colenso, 'On the Vegetable Food of the Ancient New Zealanders before Cook's Visit', TPNZI, 1880 13 : 13. Hakari given to repay one's hosts were termed paremata. Taylor, Te Ika a Maui, p. 169.

did not wholly support the marriage; perhaps because Te Wherowhero was such a distinguished ariki, it was a reminder that they should not be trifled with - that they intended to be equal partners in the alliance. For Te Wherowhero's people were hosts at the feast, and it was on them that the absence of the huahua reflected.' "Ka hua au kei te tamahine a Tukorehu rewa ana te hinu mana o nga maunga!" (Indeed, I thought that on the occasion of the marriage of Tukorehu's daughter preserved birds from the forest ranges would have been floating in their own fat!)' sneered the chief Kukutai on his return home.⁸⁰

The remark reached the ears of Ngawaero, who was deeply ashamed that her wedding guests should speak disparagingly of their treatment. Having made their point, however, in the presence of all Waikato, her people were now quite ready to assist: to show that when they wished they could surpass even the expectations of Kukutai. On their own land - and on their own terms - they received the Waikato chiefs some months later, and the carved totara waka manu (vessel for birds) which they filled with huahua for Ngawaero's father to present to the visitors - with several calabashes besides - took eight men to carry.⁸¹

More usually, as d'Urville noted, the principal food at feasts was the kumara. 'Soit qu'ils veuillent faire honneur à des étrangers, soit qu'ils doivent se régaler entre eux,' he wrote 'la patate douce forme la base principe de leurs festins.' (Whether they wish to honour strangers, or to feast one another, the sweet potato forms the basis of their feasts.)⁸² At a hakari to which Hongi had invited a Whangaroa party innumerable baskets of kumara were displayed and on leaving the guests 'received a

80. Pei Te Hurinui [Jones], King Potatau: An Account of the Life of Potatau Te Wherowhero the First Maori King (Wellington, [1960]), p.136.

81. Ibid., pp.136-138.

82. Dumont d'Urville, Voyage de l'Astrolabe, Tome 2, p.468.

present of as many koomeras [sic] as they could carry with them'.⁸³ The introduction of the Solanum potato and, between 1820 and 1830, of new large varieties of kumara (which were, besides, more easily cultivated) coincided with a new period of intense competitive activity which saw the feast reach dramatic proportions.⁸⁴ As it became more important in an age of constant inter-tribal contact that particulars of the amount and types of food be relayed far beyond the local district, displays of food became increasingly ostentatious.

There were two ways of exhibiting the food. The first was to make long walls (tahua) of kumara, some five feet in both height and width, which were covered with dried fish, or birds, or-later-whole roasted pigs.⁸⁵ At a hahunga Polack attended:

The feast was laid on the plain, outside of the village fences, in two rows, about thirty feet apart, forming a lane, in which the visitors amused themselves by promenading to and fro. The provisions consisted of about three thousand baskets of potatoes, kumeras [sic], water melons, steamed kernels of the kāráká maori, tārrō [sic], preserved kou, or turnips; tāwā, or dried codfish, and shell-fish: the baked roots of the Ti palm ...

while a number of pigs were tethered nearby, shortly to make their own contribution to the festivities.⁸⁶ And Colenso describes a smallish feast given at Waimate to the Hokianga people in 1835, at which 2000 one-bushel baskets of kumara were used.⁸⁷

83. Richard A. Cruise, Journal of a Ten Month's Residence in New Zealand (London, 1820; reprint of 1824 ed., Christchurch, 1974), p.106.

84. The Nga Puhi at the Bay of Islands were well versed in potato culture by 1805. On the introduction of new varieties of kumara, see Best, Agriculture, pp.56-58. The arrival of at least one large variety can be dated to 1829-30. See Marsden, Letters and Journals, p.488.

85. Taylor, Te Ika a Maui, p.169.

86. J.S. Polack, New Zealand: Being a Narrative of Travels and Adventures during a Residence in that Country between the Years 1831 and 1837 (London, 1838), Vol. 1, pp.229-230. His tawa is evidently tawatawa (mackerel).

87. Colenso, 'Vegetable Food', p.13, n.

The other form of exhibition was, perhaps, more immediately spectacular. An immense conical structure was erected, at the centre of which was the trunk of a tall, straight tree; 'other strong poles were then set up around it, a series of horizontal stages were then made all round the scaffolding at from 7 to 9 feet apart, and the whole was filled in and built up with food packed into baskets; presenting, when finished, one solid mass of food!' The pyramid was said to be some twenty or thirty feet square at the base; it rose to a height of eighty or ninety feet, and was decorated with flags.⁸⁸

The hakari staging which was once erected at Hokianga, for the delectation of Ngati Whatua, was some 360 feet long.

Each scaffolding was one kumi in length, and tapered up from its base, which was twice the stretch of a man's arms (about 12 ft.), to 40 ft., 50 ft., 60 ft., and 75 ft. in height, according to the strengths or amount of food the hapu (division) of the tribe it belonged to had, and tapered off at the top to about 18 in. broad. On the bottom tier would be about 600 baskets of kumara ...; a strong platform was lashed over this to support the next tier of, say, 500 baskets; then another platform, and so on, until a single row of baskets graced the top of the pile. In all, to each piece of scaffolding there would be between 3,000 and 3,500 baskets of kumara; here and there would be calabashes of preserved birds - pigeons, tui, kaka, weka, kiwi, curlew, ducks, and widgeon;⁸⁹ fish of all kinds, tons of them taken in immense tidal bag nets ...

Food, of course, was not the only medium of exchange. High quality woven mats, carved war canoes, pataka, or greenstone were all suitable items, in one context or another, for gifting. But most frequently food was gifted, simply because it was the most readily produced and appreciated commodity; and men, besides, must always eat.⁹⁰ Thus on one occasion chiefs of Tuhoe exchanged a quantity of preserved birds for a greenstone weapon and a block of unworked greenstone from Taupo. The edible parengo seaweed was packed into containers on the East Coast, to be exchanged perhaps

88. Ibid.

89. Quoted in Best, Storehouses, p.74. A kumi was sixty feet.

90. See, for example, Polack, New Zealand, Vol. 2, pp.79-80.

for Taupo inanga; while kumara were sent to the South Island, in return for the many species of bird caught there.⁹¹

When the Whanganui chief Tumango married Pikitia, the people of Te Kapua sent a hundred calabashes of huahua, many of which held over a hundred pigeons.⁹² And

a present of food-supplies sent by Te Rehunga of Hawkes Bay to Tamaiwaho included seven calabash vessels filled with potted birds, and one containing only kakapo, also two filled with whale's flesh preserved in fat. Previous to this Tama had sent Te Rehunga a gift of food-supplies that included five patua (bark-vessels) of preserved birds, three baskets of plucked rats, and five packages of dried eels.⁹³

Te Rehunga, it may be noted, had in true competitive fashion outdone the gift of his friend, for whale flesh was a rare treat. And if Tamaiwaho wished his prestige on the coast to remain high, he would have to cast around when next he made a gift for some equally choice delicacy.

Few gifts, however, can ever have surpassed that made to the chief Tamahina during his wedding celebrations; and few can serve to show more clearly the lengths to which competing hapu were prepared to go to elevate their status at the expense of those who received the gift. This was, it might be thought, the ultimate in huahua. There were two tahua, named Taratuia and Pohoare - each of which was said to be large enough, when empty, to hold four men. The birds they contained were kereru (wood pigeon), kokako (New Zealand crow), tieke (saddleback), wirairangi (unidentified), huia, kaka, piopio (native thrush), korimako (bell-bird), kawau (shag), matuku (brown bittern), tui, pihipihi (blight bird), pitoittoi (robin), kiwi, kakariki (parakeet), weka, whio (blue duck), whioi (native lark), pukeko, koera (quail?), kotare, and others besides.

91. Elsdon Best, Tuhoe; the Children of the Mist ... (Wellington, 1925, second ed., 1972), p.435; Firth, Economics, pp.403-406.

92. Downes, 'Bird-Snaring', p.16.

93. Best, Forest Lore, p.314.

Not one forest bird, in short, was missing. Seven generations later, the name of every hapu which had contributed to the gift was remembered. And Ngati Ruaka, who had consumed the huahua, had been unable to fill the containers with birds for a return presentation. In an ingenious effort to avoid humiliation - for it would have been an unthinkable admission of defeat, as well as a deliberate insult, to return the patua only half-filled - they potted human flesh instead, and good quality flesh at that: tangata rangatira, which must have been specially procured.⁹⁴ Why the up-river peoples went to such lengths to put Ngati Ruaka in their place can only be surmised; perhaps, under the leadership of aggressive chiefs, they had been trespassing too often for comfort on other people's preserves. But in this exchange they came off resoundingly second-best, and they may well have taken the warning of their relatives to heart.

With the later influx of pakeha goods, gifts and feasts alike became increasingly flamboyant. Polack describes a gift (of gunpowder, muskets and blankets worth some £200 sterling) made by an important Bay of Islands chief as his son-in-law was departing for his distant home.⁹⁵ At a feast given in 1868 by Patuone (Marsh Brown) of Hokianga to Mangonui Te Kerei of Kororareka, pigs, horses and cattle - as well as kumara, potatoes and dried shark - were distributed to the visitors and the presentation was capped by a purse of 150 sovereigns. The value of the gifts was estimated by the local Resident Magistrate - appalled like all his pakeha colleagues before and since at such 'extravagance' - at a thousand pounds.⁹⁶

94. Downes, 'Bird-Snaring', pp.13-14. The implication of the reference to tangata rangatira is that Ngati Ruaka did not take the easy way out, and kill some of their own taurekareka.

95. Polack, New Zealand, Vol. 2, p.80.

96. Report from E.M. Williams, 1 June 1868, in Appendix to the Journals of the House of Representatives [AJHR], 1868 A No. 4, No. 13, Appendix D, p.30.

But government and missionary disapproval did little to discourage competitive feasting. And a single recorded Maori plea for respite met with scant sympathy. In 1863 the Nga Puhi and Rarawa assembled together at Ahipara for a 'hakari of goods', at which 2 800 articles of clothing - blankets, gowns and shawls - were to be distributed. The Rarawa, however, had had enough. "Let peace be made, O Ngapuhi" said one of their spokesmen, "why should this hakari be made a cause of strife between us". But Nga Puhi would not agree: "It is for you to say whether this is a return for my hakari ..." sneered Pera Te Ahi; "... my goods have not been paid for".⁹⁷

Such displays, in short - despite the encomiums of early observers - had little to do with generosity. John Johnson, on his travels through the Central lakes district in 1846-47, noticed an anomaly which led him to a more appropriate explanation. Many chiefs, he observed, had received large sums of money and goods for the sale of their land. Yet so much of the new property had been gifted, that 'scarce any of them now possess an extra blanket or a sixpence The taurekareka or slaves do not consider it necessary to maintain a reputation for munificence, consequently many of them are possessed of property'.⁹⁸ Taurekareka had lost both their personal status, and their intimate association with the community into which they had been born. Like pakeha, they might accumulate goods for their comfort and advancement; but their wealth, representing as it did personal effort, rather than the effort of their kin group, was of no social significance. Where the exchange of goods did nothing to define relationships between hapu, it was devoid of all meaning.

97. 'Account of a Meeting between Ngapuhi, Rarawa, and other tribes at Ahipara, May 11th 1863, to discuss a "hakari of goods",' MS. (copy) in Grey Collection, Auckland Public Library.

98. John Johnson, 'Notes from a Journal', in Taylor, Early Travellers, p.168.

CHAPTER 2

THE REGULATION OF SOCIETY

In New Zealand, as in Polynesia generally, the essential basis of society was competition.¹ The social and economic unit was the hapu (sub-tribe), because it was both large enough to gather all the resources available to it, and small enough, while retaining its mobility, to place no substantial strain on those resources. It was small enough, too, to concentrate its prestige in one chiefly family, and one chief. The standing of a hapu in relation to the rest of the tribe was established by its place in a loose competitive hierarchy. It was, however, open to a hapu to increase its standing; though certain hapu enjoyed advantages which, if carefully exploited, would always tend to keep them at the top. Such hapu, of course, were well situated, with access to - or even a monopoly of - the prized foods of the district. The size of the population was important - the size, that is to say, of the labour and fighting force which could be called upon. And this, in turn, was dependent on the mana (prestige) of the chief and, therefore, on his status as set out in his whakapapa (genealogy).

Among Polynesians, no ceremonial qualification ever exceeded that of high birth. The most illustrious Maori chiefs traced their descent in a direct line from the captains of the canoes which brought their forbears from Hawaiki, and subsequently through the great ancestors who gave their names to tribal groupings. Their whakapapa represented the kahui ariki (aristocratic) lines of the tribe, and both the tuakana (senior)

1. The 'competitive society' is a term which G.S. Parsonson has used to describe the struggle for social pre-eminence in Polynesia and Eastern Melanesia.

and teina (junior) ariki (chiefly, first-born) lines provided chiefs who might found important hapu. For as the original tribal grouping became too large to be manageable, or too small for the ambitions of vigorous chiefly siblings, relatives of one or another prestigious chief might set off to form their own settlement in a nearby territory. Eventually they achieved a separate identity, being distinguished within the tribe as 'the people of' (Ngati) their first leader.

Within Ngati Tuwharetoa, for instance, the senior ariki lines descended from the first male child - Rongomaitengangana - born to Tuwharetoa's first wife, the high-born Paekitawhiti. The first child of the marriage was in fact a daughter - Manaiawharepu - who was succeeded through some fifteen generations by an unbroken line of first-born females. Though this senior line of descent was of great ceremonial status, the leaders of the tribe all sprang from the (junior) male line. And the first ariki (kahui ariki) lines of Ngati Tuwharetoa descended through the tuakana line from Tutapiriao, the elder son of Rongomaitengangana, thus:

Table 1.

Tuwharetoa-i-te-Aupouri = Paekitawhiti(f).

Manaiawharepu(f)

senior ariki
tapairu (first-
born female)
line

Rongomaitengangana(m).

Tuakana (senior)

Tutapiriao (m)

kahui ariki
lines

(teina) Junior

Whakatihi(m)

second (teina)²
ariki lines

2. Derived from Grace, Tuwharetoa, pp.539-541. The above method of schematizing genealogies, in which the senior line is always placed on the left hand side, was of course post-literate; it came into general usage during the Land Court hearings of the second half of the nineteenth century. Maori recitations of whakapapa, from which such charts were drawn up, proceeded down each line in turn, using the formula: tā Kihī, ko Rangiaho, tā Rangiaho ko Te Heuheu - where tā is an abbreviation for te tama a (the child of). Thus: the daughter of Kihī was Rangiaho, the son of Rangiaho was Te Heuheu.

The lines from Tutapiriao and Whakatihi may be further extended as follows:

Table 2.

Tuwharetoa = Paekitawhiti(f)

Manaiawharepu(f)

Rongomaitengangana(m)

Tutapiriao

Whakatihi

Rongoteahu

Tupoto

Piri

Taneturiwera

Tunono

Hinetuki

Turangitukua

Tutetawha I

Te Rangitautahanga

Te Rangiita

These people of... (Ngati Te Aho)

(Ngati Te Rangiita)³

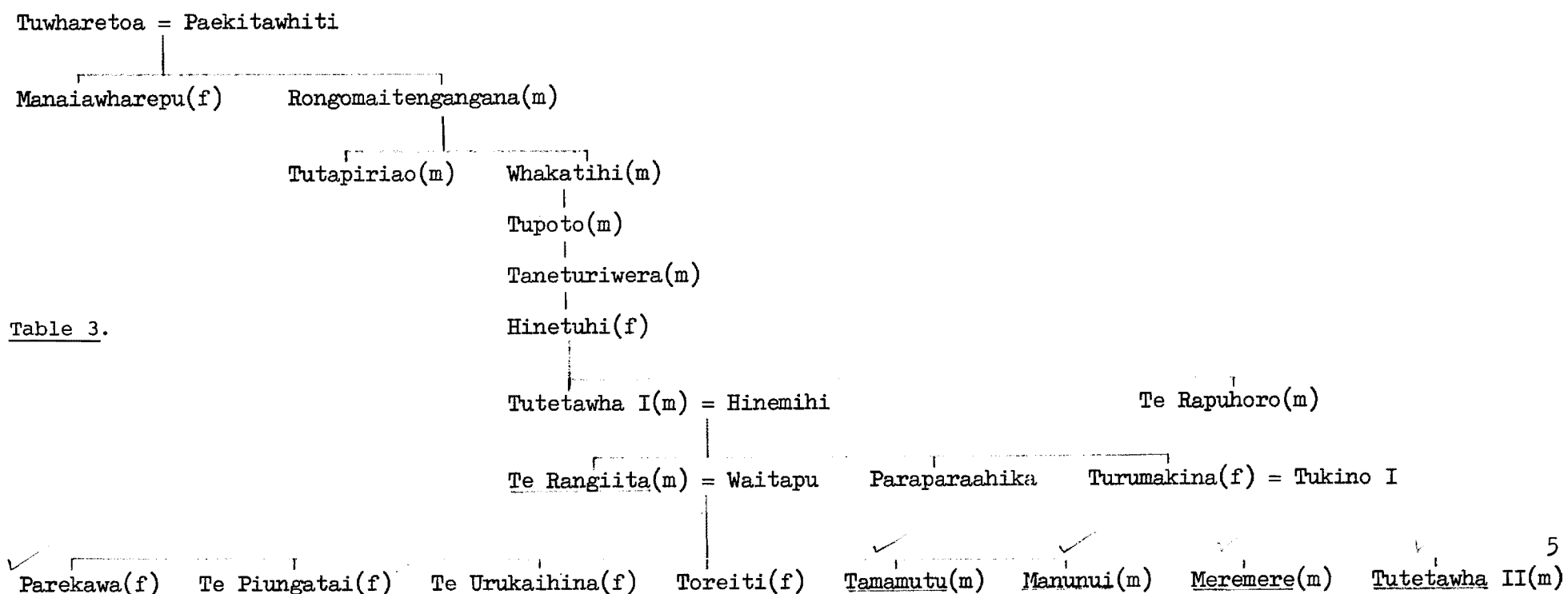
Te Rangitautahanga, it may be seen, was senior to Te Rangiita, and was in fact in his lifetime upoko ariki (paramount chief) of Ngati Tuwharetoa, in whose custody the tribal god Rongomai and the most splendid of the 'Tuwharetoa war canoes (Te Reporepo) were held. Though the two chiefs were very close friends, we are told that 'the latter [Te Rangitautahanga] never missed an opportunity to remind his relative that he, Te Rangiita, was the ^{taina} taina (junior) and had less power and influence'.⁴ Similarly, Te Rangitautahanga's descendants, Ngati Te Aho, whose tuakana status entitled them, for instance, to select and install the paramount chief of Ngati Tuwharetoa - would always feel obliged to maintain a superior competitive capacity to that of Ngati Te Rangiita. Indeed, the hostility between the two groups occasionally erupted into open fighting.

The mana of Te Rangitautahanga extended over the southern part of the Taupo region; that of Te Rangiita over the northern and western

3. Ibid., pp.540-541. Ngati Te Aho derived their hapu name from Te Rangitautahanga's grandson Te Ahooterangi.

4. Ibid., p.160.

districts was strengthened by his marriage to Waitapu, a high-born woman of Ngati Raukawa. And several hapu traced their origin from children of this latter union:



All the descendants of Te Rangiita were known generally as Ngati Te Rangiita, but their hapu names were Ngati Parekawa, Ngati Tamamutu, Ngati Manunui, Ngati Meremere, and Ngati Tutetawha. The descendants of Parekawa, as the tuakana, might be thought to feel most deeply an obligation to uphold the mana of Te Rangiita within the area he had settled. But might not the onus fall on the descendants of Te Rangiita's eldest son, the warrior Tamamutu? Or what of Ngati Manunui who, through Manunui's marriage to Te Waiparemo, the favourite daughter of Te Rangitautahanga, could recite their whakapapa from the tuakana Te Rangitautahanga himself? Each of these hapu was in a position to provide an ariki whose influence might extend over all of them; each, too, was for all practical purposes on a competitive footing with the others.⁶

5. Derived from ibid., p.541.

6. Ngati Tamamutu, in fact, provided the ariki Kapawa and Meremere, and notably Te Rangituamatotoru; Te Wakaiti of Ngati Manunui was passed over, because of his arrogance, in favour of Herea of Ngati Turumakina and Ngati Parekawa (who became Te Heuheu Tukino I). Ibid., pp.221-225.

If the status of the hapu was determined by the mana of their chief, the chief himself embodied the mana of the hapu. Just as he drew his strength from the inherited mana of his forbears as revealed in their respective personal qualities and exploits, so it was his duty to bequeath to his successor mana which his own chieftainship had enhanced. This he could do only with the support of his people and his elders. If they failed to assist him he could not sustain their prosperity, and their own position in the competitive structure would be accordingly - and shamefully - undermined. As Te Rangi Hiroa has explained the mutual dependence of chief and tribe:

He [the chief] also inherited the prestige of his position, and the greater the prestige acquired by his family and the tribe, the greater the mana that was inherited. Besides the inherited mana, a new ariki could acquire additional mana by the wise administration of his tribe at home and by the successful conduct of military campaigns abroad ... the prestige acquired by the tribe was concentrated on the ariki as the figurehead or human symbol of the tribe ... The mana of a chief was integrated with the strength of the tribe. It was not a mysterious, indefinable quality flowing from supernatural sources; it was basically the result of successive and successful human achievements.⁷ ✓

Before the beginning of the nineteenth century the achievements required of a respected chief were in fact few enough. Certainly he was neither the ruler nor the conqueror that Te Rangi Hiroa would have him. An earlier authority describes him more exactly as 'a man of knowledge, intelligence, [who] can entertain guests (in a becoming manner), is capable of guiding the hapu and tribe ...' (he tangata mohio ki te whakaaro nui, ki te manaaki tangata, ki te whakahaere i te hapu, i te iwi ranei ...)⁸ On important occasions he was always recognisably the representative of his hapu. Clad in their best cloak, wearing their best greenstone, he sat surrounded by his elders on the ground to receive

7. Te Rangi Hiroa, Coming of the Maori, p.346.

8. H.T. Whatahoro, 'Ko te Tikanga o tenei Kupu, o Ariki' (The Meaning of the Word "Ariki"), JPS, 1909 18 (2): 90, 92.

their visitors or envoys. Above all, he stood out because of his noble carriage, his dignity, and because of the deference shown to him.

He always stood out, however, in the midst of his people. He was no remote figure, but an active member of the community, who did his own cultivating, his own building, his own speechmaking, and his own fighting. Though some communities boasted large houses for their honoured guests, the chief's house might be indistinguishable from that of anybody else, and if he was travelling he slept in a simple lean-to.⁹ Where Polynesian chiefs elsewhere expected their food to be brought to them, a Maori chief was likely to be met with digging fernroot or superintending fishing operations. Hinematiaro of Ngati Kahungungu was one kahurangi (female ariki) of whom it was specifically remembered that she was waited on and constantly guarded by her people: 'She did no cultivating nor any other work, but all her needs were supplied by the people.'¹⁰

Perhaps because life in New Zealand was comparatively hard, there was simply no room for a leisured élite. Every member of the hapu was constantly employed, and it was expected of the chief not that he should be an encouraging spectator, but that he should himself set the people an example of industry. Of necessity, therefore, the mana of a chief was dependant on his personal achievements in everyday life. A chief whom people would remember was, perhaps, so highly skilled in the use of the taiaha (long club) or the tete paraoa (spear tipped with whalebone), that he could defeat renowned warriors in single combat. But he also took pains to become expert in fishing or snaring or cultivation. Thus

9. Polack, New Zealand, Vol. 1, p.91, Vol. 2, pp.30-31.

10. J.H. Mitchell (Tiaki Hikawera Mitira), Takitimu (Wellington, 1944; reprinted 1973), p.148. A female ariki (elsewhere ariki tapairu) was termed kahurangi on the East Coast.

it was proudly recorded by his people of their chief Kahu-hunuhunu (Kahungungu) that:

He soon became recognised as a tohunga [expert] in the supervising and planning of the building of whole kainga [villages], including fine meeting-houses. He paid particular attention to the proper irrigation and drainage of his people's cultivations, which were always the best for miles around. He organised bird-snaring parties and encouraged his tribe in the arts of carving, tattooing, weaving and canoe-making. He knew exactly the right season to go on a fishing expedition for the Kapeta [dogfish] or the tarakihi, and where to find the best mussels or toheroa.¹¹

And his descendants summarised his achievements in the saying "Ko Kahu-hunuhunu he tangata ahuwhehua mohio ki te haere i nga mahi o uta me te tai".

"Kahu-hunuhunu is an industrious man and one who knows how to manage works both on land and at sea."¹²

By virtue, then, of his status and his leadership, a chief was a man of great influence. But he was not a man of authority. He had himself no control over the behaviour of others, no power to make or enforce any rules. Thus, for instance, when the trading ships came, a chief was unable to guarantee the labour of his people to assist with getting out the spars. If people wished to work, to earn payment, they would do so; if they decided against it, the pakeha had to drag out their own spars. As Titore explained to Henry Williams, when he was asked why the different sections of a war expedition did not keep closer together, 'it was their usual way for each party to go where they liked, [that] every one was his own chief'.¹³ Williams for his part could not but reflect that:

'Without any one to direct, not only does each tribe act distinct from

11. Florence Keene, Tai Tokerau ([Christchurch?, 1975]), p.5.

12. Ibid.

13. The Early Journals of Henry Williams, 1826-40, ed. Lawrence M. Rogers (Christchurch, 1961), p.213.

the other, but each individual has the same liberty. If one be bent on mischief, he cannot be restrained by the others'.¹⁴ The Nga Puhi chief Ruatara made the same complaint about his inability to discipline men who were a nuisance.' Duaterra [Ruatara] says "some of his countrymen are good, will work for their living and wish for improvement" wrote Kendall, "while others are very bad, will take in a ship or steal anything". He is very desirous to have it in his power to adopt some salutary measures by which he may be enabled to keep in subjection unruly and mischievous men ...¹⁵

This is not, of course, to suggest that Maori society was anarchic. But because it functioned as an aggregation of small-scale communities, each self-sufficient and mobile - often in smaller parties - within a fixed territory; and because within each community individual skills - in food-gathering, in carving, tattooing, and fighting - were important to the general well-being, men and women alike were accustomed to independence of thought and action. Each elder was entitled to speak in public on an issue of importance to the hapu, such that everyone might be aware of an emerging consensus. The chief was listened to with great respect, and his voice might be decisive in any debate as to what course of action should be adopted. But if two opposing opinions emerged, there need be no attempt to reconcile them; and a dissenting party or individual need not act with the majority.¹⁶

It may be argued, in any case, that before the nineteenth century introduction of new ideas, new legal and judicial concepts and new kinds of property, there was little need for chiefly authority; or, at least,

14. Ibid.

15. Thomas Kendall to Rev. Josiah Pratt, 6 September 1814. Letters and Papers relating to Thomas Kendall (typescript copies), Hocken Library, v.54, no.66, p.20. See also Marsden, Letters and Journals, p.335; Earle, Narrative, pp.125-126.

16. See, for instance, Williams, Early Journals, pp.213, 215.

little scope for chiefly intervention. The behaviour of every individual, first, was restricted by the prohibitive sanctions of the tapu. Such sanctions pertained to his cooking and his eating, his sleeping and his travelling, and his food-gathering activities. They protected the valued property (taonga) of the hapu; the heirlooms, the crops, the nets, canoes and paddles were safe from damage or loss; the tribal stores from pilfering, and the resting places of the dead - far from any human watchfulness - from desecration. Cultivators, snarers and trappers too, all worked under strict tapu: they began their work each day after the karakia (incantations) of the tohunga had placed their efforts under the protection of the appropriate tutelary god, and they ate nothing until they returned and were released from the tapu. In a practical sense, perhaps, such tapu were a reflection of the fact that food-gathering was a difficult and specialised business, requiring skill and concentration, and that a hunter in the wrong frame of mind would have little hope of doing his job properly. But they operated because of man's fear of spiritual retribution - fear that, for instance, Tane, the protector of the forest and bird-life, might abandon them; fear - if they were to cook and eat their catch in the bush - that the life principle (mauri) of the forest would be destroyed, and its fruitfulness cease.¹⁷

It was, therefore, to the tohunga, the expert in all spiritual matters, that the well-being of the community was entrusted. His services were essential before people placed under temporary restriction might return to the community: toa (warriors) arriving home from a fighting expedition, carvers, mothers and their new-born infants, to whom

17. Elsdon Best, 'Maori Magic: Notes upon Witchcraft, Magic Rites, and various Superstitions as practised or believed in by the Old-time Maori', TPNZI, 1901 34: 70; Firth, Economics, pp.149-163, 246-258.

the tua rite must be administered, and those who had been in close contact with a tupapaku (corpse), who must undergo the pure rite.¹⁸ Only the tohunga could treat an illness - the product of makutu (incantations designed to have an adverse effect on the well-being (mauri, life-principle) of the victim), or of an infringement (hara) - whether conscious or unconscious - of a tapu; only he could set the spirit of a dying man on its road to Te Reinga, and prevent it from returning to haunt the living.¹⁹ He was, besides, a repository of the knowledge of whakapapa, of the history and sacred places of his people and, most important of all, of the karakia.²⁰

Tohunga endowed with second sight (matakite) were consulted before a taua (war party) set out, and in cases of murder or theft would be able to indicate the culprit.²¹ Some tohunga were skilled in makutu - like Puarata and Tautohito, whose puhi makutu (bewitched post) gave off such evil emanations that both taua and tira (travelling parties) that went near their pa were killed by them.²² Some were hypnotists, who could demonstrate

18. For an account of these rites, both of which were for the purpose of removing tapu, see Jean Smith, Tapu Removal in Maori Religion (Wellington, 1974), pp.9-11, 15-20. See also Elsdon Best, 'Maori Eschatology: the Whare Potae (House of Mourning) and its Lore ...,' TPNZI, 1905 38, passim.

19. Best, 'Maori Magic', pp.78, 83-84; Best, 'Eschatology', pp.164-165, 187.

20. S. Percy Smith, 'The Tohunga-Maori: a Sketch', TPNZI, 1899 32: 256, 261; Best, Tuhoe, p.1080; Elsdon Best, 'Tuhoe Land: Notes on the Origin, History, Customs, and Traditions of the Tuhoe or Urewera Tribe, TPNZI, 1897 30: 39-41.

21. Smith, 'The Tohunga-Maori', p.259; Best, 'Eschatology', pp.203, 220-221. See, for example, the story of how the murderer of Kahu-tapere's twin sons was detected by tohunga, in Mitchell, Takitimu, p.107.

22. Sir George Grey, Nga Mahi a Nga Tupuna (London, 1854; fourth ed., Wellington, 1971), p.147.

the intimacy of their ~~communion~~ with the atua by causing men to witness wonderful occurrences. A story was told by a Maori eye-witness of an old Rotorua tohunga named Tuhoto, who was resisting the determined efforts of a 'very eminent Englishman' to persuade him to turn to Christianity.

He finally said, "If you can do this I will become a convert." Picking up a dried leaf of the ti (or Cordyline australis), he held it at arm's length, and, saying a few words of Maori karakia, invited his visitor to look. Behold! The leaf was green, as if just plucked from a growing tree. The white man turned away, feeling that he was no match for the Maori tohunga.²³

And, finally, men were dependant on the tohunga for the goodwill of those most remote ancestors: Tane-mahuta, Rongo, Tangaroa, Haumia, the descendants of Rangi and Papa who were responsible for the forests, the fisheries, and successful cultivation. He performed the rituals necessary to protect the resources of the land—chanting the incantations at the start of each season to assure the fruitfulness of the forest and the sea, making the offering to the tutelary god and to the atua (ancestral spirits) when the first birds or fish or kumara were brought in, or when a tree was to be felled, or a new fishing net put to use. And in a ritual which removed the tapu from the hunters, he ate from the tapu oven in which the first of the catch was cooked.²⁴ Some chiefs — like Rawiri Te Uta, of Ngati Kinohaku, had been trained as tohunga. 'In olden times', said Ngati Kinohaku at a Court hearing of the 1880s, 'no Chief however great would attempt to take the first Fruits of fish etc. without Rawiri first taking it, he performed the incantations etc. He was the last of those who was invested with mana of that kind.'²⁵

23. Smith, 'The Tohunga-Maori', p.270.

24. Best, 'Maori Magic', pp.76-77; Best, Coming of the Maori, pp.484-486; Firth, Economics, pp.263-268; Ngata, Nga Moteatea, Part 3, p.117, n.23.

25. Evidence of Hone Rapiha Pakukohatu Wera, 16 October 1888. Maori Land Court Minute Books [MLC], Otorohanga Bk.5, (Rohepotae), Kinohaku West Block, p.72.

On a more practical level, the food supply was preserved by the rahui. To protect shellfish beds, or birds out of season, to prevent people picking berries before they were ripe or, perhaps, to spare eels in a bad season by reserving them to his own use - a privilege to which he was entitled - the tohunga would place them under temporary protection, so that no-one would gather food in that area until the sign of the rahui was removed.²⁶ Again, the chief Ngatapa of Ngati Te Kanawa was said to be one whose rahui were always recognised: 'he used to put up a pole with a rope on each side of it which he used with Kakaho [culm of the toetoe], and when the tawara's [tawhara] were ripe on one side of the river he used to loosen the ropes for a signal that they may be gathered and netting of kawai's [kahawai] was not undertaking [sic] until he gave permission. Nor did anybody dare to throw down his pou rahui.'²⁷ But Ngatapa's pou remained standing not because people respected his authority, but because they feared the power of the karakia which were connected with the pou. The post itself, of course, was only a sign to alert passers-by; the maro, the object - a stone, or a few fern fronds - which was the material representation of the destructive powers of the rahui, was hidden near the pou.²⁸ Should the rahui be ignored, the intruder would suffer the full force of those powers and - unless his own tohunga were able to turn aside the makutu - would suffer misfortune or even death. He would, in short, fall prey to the mystical powers of the chief.

Some ritual functions - as at the birth of chiefly children, or the cutting of their hair - were reserved to ariki; or to their female kin.

26. Firth, Economics, pp.258-261; Elsdon Best, 'Notes on the Custom of Rahui. Its Application and Manipulation, as also its Supposed Powers, its Rites, Invocations and Superstitions', JPS, 1904 13 (2): 83-85, 88.

27. Makaari Te Moerua Ngatanahira, MLC, Kinohaku West Block, pp.57, 64.

28. The maro was termed kapu, or whatu, which Best defines as 'kernel, an object to absorb the magic power'. Best, 'Maori Magic', p.90; Best, 'Custom of Rahui', p.85.

Where the death of a chief had occurred within a pa, or by drowning, only an ariki of superior birth to the tupapaku might lift the tapu so that people might continue about their daily business. The sister or daughter of an ariki often acted as ruahine, removing the tapu for instance from a newly completed canoe, or from a house, in the ceremony of takahi te paepae (crossing the threshold).²⁹ Mereana Mekomoko, daughter of the chief Apanui Hamaiwaho of Ngati Awa, described how she was called upon to assist in a ritual to avert from her people the effects of the desecration of a tapu. For while Ngati Awa were building a meeting house, some women inadvertently burned in a cooking fire some chips from the chisel of Apanui. As the chisel and the work it was doing on the house were under strict tapu, while the cooking fire and the cooked food associated with it were noa (without tapu, ordinary), this was a slip which produced disastrous consequences. The workers forfeited the protection of the atua under whose aegis the carving was being performed; numbers of them became ill and several died. At dawn one day Mereana Mekomoko was called by her brother to come and "remove the spell caused by the desecration of the work of our father's chisel". A small fire had been made of chips from the carvings, in which two kumara were roasted, and offered to her to eat. 'I trembled with fear, lest death should come to me also; but the old men said, "Fear not, you are equal in mana to Apanui, your father, and you alone can remove this spell which is destroying Ngatiawa". I then ate the roasted food, and the epidemic ceased.'³⁰

29. Best, Tuhoe, pp.1085,1087, 1111; Smith, 'The Tohunga-Maori', p.268; 'The Building of Hotunui, Whare Whakairo, W.H. Taipari's Carved House at Thames, 1878. Told by Mereana Mekomoko, widow of the late chief, W.H. Taipari, to Gilbert Mair, 12th July, 1897', 30:42, TFNZI, 1897.

30. Ibid.

By virtue of his mana and his priestly powers, then, the ariki stood in an especially close relationship to the spiritual world. And as that relationship was of importance to the whole hapu, great care was taken that it be not imperilled by detracting from the tapu of the chief. It would for instance be unthinkable that cooked food - the epitome of things noa, destructive of tapu - be passed over the head of a chief, the most tapu part of his body, or even over a garment belonging to him. It was sometimes difficult for a high-born person to keep his head clean. And no-one might eat or drink from containers which a chief had used, or eat food from a store-house on which his shadow had fallen - or indeed, stand on his shadow.³¹ Such prohibitions however did not mean that food was constantly being rendered inedible, or that people were forever falling ill because they inadvertently trod on shadows. Rather, the onus was on the chief to prevent such catastrophes by confining his own movements - or, in fact, by training himself to execute them with great dexterity. The effect of the tapu was thus to impose on him a degree of isolation more psychological than^a physical, which would always make it difficult for him to escape his ceremonial role.

If scrupulous observance of the tapu among the Maori stemmed from dread of the power of spiritual forces, the rules of muru and utu were operated by the community itself. For, as Gluckman has suggested, societies without legal codes and courts have no legal rules, though they do have rules of law.³² And the Maori institutions of muru and utu afforded an injured party the opportunity of obtaining redress.

Muru (plunder of moveable property) was inflicted only on individuals by their kinsmen, or the kinsmen of their spouse. A man laid himself open

31. Shortland, Religion, pp.25-28; Best, Tuhoe, pp.1112-1113.

32. Max Gluckman, The Judicial Process among the Barotse of Northern Rhodesia (Manchester, 1955), p.230.

to muru if a misfortune befell him - if his house burned down, his wife left him or took a lover, his child met with an accident. For then, it was argued, he had been guilty of offending the atua, who were now punishing him, and the community - which must suffer for his neglect or misdeeds - was entitled therefore to some compensation.³³ His house for instance had been the work of others, and must now be built again; his incapacity meant that he would be unable to contribute his labour to the replenishing of the hapu food stores. In the case of his wife or child he had insulted not only the atua but the people of his wife, who accordingly came both to seek satisfaction, and to add their own form of retribution to that inflicted by the atua.

They only bothered to exercise their rights, however, when the offender was a man of rank, and the expedition likely to yield suitable profit. And muru was in fact a compliment to the miscreant - and, of course, to his relatives - an expression of recognition of his status which was, therefore, never resisted. If, by their labour, they had accumulated enough property that it was worth someone else's while to make off with it, it was a matter of great satisfaction. In this sense muru may also have been, if

33. Kendall to Samuel Marsden, 25 July 1817. Kendall Papers, v.56, no.63. See also Earle, Narrative, pp.102-104.

With the growth of agnosticism during the 1820s, and increasing disregard of some tapu, muru disappeared almost completely. Though the word continued to be used to describe the actions of taua who plundered chiefs and especially missionaries, the sources show clearly that these were not taua muru proper, punishing men for their offences against the atua. Rather, as a few fortunate communities became possessed of a large amount of portable (European) goods, taua and individuals alike began to experiment with new ways of obtaining redress (utu) from those who had offended them - and of redistributing the goods more evenly throughout the district. The missionaries, who at first had more goods than anyone, were fair game for this exuberant, uncontrolled exaction of utu - whether, initially, as part of Hongi's or Te Pahi's hapu or, later, as 'chiefs' of their own 'hapu' responsible for the offences of the pupils and servants who were identified with them.

paradoxically, a gesture of support for a man in his hour of need - for it was certainly something of a jolly social event. On one occasion, a chief whose wife had been unfaithful suffered an invasion of some hundred of her relatives, who stayed for three days, feasting on his pigs.³⁴ And if Maning's description of muru is sardonic, there is no reason to think it unfaithful. He thus describes the hypothetical case of a child which fell into the fire and was badly burned, and goes on to imagine the reasoning of the maternal kin who are about to muru the father of the child:

The child was moreover a promising lump of a boy, the making of a future warrior, and consequently very valuable to the whole tribe in general, but to the mother's family in particular. 'A pretty thing to let him get spoiled. Then he is a boy of good family, a rangatira by birth, and it would never do to let the thing pass without making a noise about it. That would be an insult to the dignity of the families of both father and mother ... Then the natural affection of all the child's relations is great. They are all in a great state of excitement, and trying to remember how many canoes, and pigs, and other valuable articles the father has got; for this must be a clean sweep. A strong party is now mustered, headed probably by the brother of the mother of the child. He is a stout chap, and carries a tough long spear. A messenger is sent to the father, to say that the taua muru is coming, and may be expected tomorrow or the next day. He asks, 'Is it a great taua?' 'Yes, it is a very great taua indeed.' The victim smiles, he feels highly complimented; he is then a man of consequence. His child is also of great consideration; he is thought worthy of a large force being sent to rob him! Now he sets all in motion to prepare a huge feast for the friendly robbers his relations. He may as well be liberal, for his provisions are sure to go, whether or no. Pigs are killed and baked whole, potatoes are piled up in great heaps, all is made ready; he looks out his best spear, and keeps it always ready in his hand. At last the taua appears on a hill half-a-mile off; then the whole fighting men of the section of the tribe of which he is an important member collect at his back, all armed with spear and club, to show that they could resist if they would - a thing, however, not to be thought of under the circumstances.³⁵

34. Edward Shortland, Traditions and Superstitions of the New Zealanders: with Illustrations of their Manners and Customs (London, 1854; second ed., 1856), p.235.

35. F.E. Maning, (A Pakeha Maori), Old New Zealand (London, 1887; reprinted Auckland, 1973), pp.110-112.

Utu (satisfaction) on the other hand, was exacted by the hapu, where an attack had been made on its spiritual and temporal well-being. If a chief were insulted, or if strangers trespassed on hapu food-gathering grounds, it became the duty of the hapu to demand utu from the offenders, or to endorse a summary exaction by any of their members. For its social and economic survival depended on the mana of the chief, the territorial integrity of the hapu, and its right to monopolise resources within certain limits.

The kind of satisfaction deemed appropriate depended on how severely hapu rights had been infringed, and on the relationship between the two parties concerned. It was taken as the opportunity offered - within the hour, or the year; from the culprit himself or indiscriminately from his entire kin; by force or merely with a show of force.

In some cases, then, utu might be readily secured. Kiterangi of Ngati Mahanga tampered with the rat traps of the chief Rarawa, and Rarawa - coming upon the miscreant in the forest - pursued him home, dragged him outside his house and his pa, and dashed out his brains.³⁶ Hongi had claimed a dead whale which was cast up on the shore. And when he heard that the Whangaroa people had taken the whale away and eaten it, he went with his taua and broke up the canoe which they had used.³⁷ On another occasion, Hongi's people came to seek satisfaction from the missionary Clarke for a kanga (curse) uttered against Hongi by one of the Maori girls living in his house. The girl's husband went out to meet them: 'As soon as he made his appearance, I'ongi [Hongi] struck at him with a spear he held in his hand; but I'an [Ani?] being very dexterous, warded off the blow and

36. Reweti T. Kohere, The Story of a Maori Chief: Mokena Kohere and his Forbears (Wellington, 1949), p.11.

37. Marsden, Letters and Journals, pp.145-146, 162.

broke I'ongi's spear; after which they looked at each other near ten Minute in the most savage manner without speaking a word ...'. Then Hongi made his accusations, and Ani admitted his wife's guilt, and 'after a number of words on the same subject Iongi told I'an he must have a payment for his wife's misconduct which he readily promised'. He gave Hongi a blanket and a hatchet, and Hongi left satisfied.³⁸

Marsden has left a detailed account of the course of a dispute which had arisen between two closely related chiefs who were neighbours in the Upper Waihou valley. Some of Muriwai's taurekareka demolished part of Matangi's fence for firewood and took it away with them, so that Muriwai's pigs got into Matangi's kumara cultivations. Matangi shot several of the pigs, whereupon Muriwai shot some of Matangi's pigs. The score in pigs was now equal, but the original offence and damage to the cultivations had yet to be paid for. The two parties met to negotiate, but the tension was such that evidently a scuffle broke out, during which Muriwai wounded a man in the leg with his spear, and received a slight hurt himself.

The next day there was more talking. At the village of Matangi, a chief who was not involved in the dispute recommended him to come to a settlement. Then reports came that Muriwai was again killing Matangi's pigs, and an armed party went off to investigate. In the evening, Matangi's elderly father Wharemaru, spear in hand, rose to advise his people.

He made strong appeals to them against the injustice and ingratitude of Moodee Why's [sic] conduct towards them. He recited many injuries which he and his tribe had suffered from Moodee Why for a long period; mentioned instances of his bad conduct at the time his father's bones were removed from the ahoodoo pa (uru pa) to their family vault. He also stated acts of kindness which he had shown to Moodee Why at different times, and said he had twice saved his tribe from total ruin. In the

38. George Clarke, 17 June 1826. Letters and Journals, 1822-1849, Hocken Library, Vol. 1.

present instance Moodee Why had killed three of his hogs - one of them was very large and fat, being two years old. Every time he mentioned the large hog the recollection of his loss seemed to nerve afresh his aged sinews: he shook his hoary beard, stamp with indignant rage, and poised his quivering spear. He exhorted his tribe to be bold and courageous, and declared that he would head them in the morning against the enemy, and before he would submit, he would be killed and eaten... His oration continued nearly an hour: all listened to him with great attention.³⁹

None of this meant however that bloody fighting was imminent. Rather - since reports of the speech would undoubtedly be carried to Muriwai - it was a statement of intent from the party which held itself to have been injured. Muriwai, they felt, had gone too far, and they were now determined to prevent further impertinence, to seek satisfaction and not to back down.

The following day, very early, Matangi's people, fully armed with spears, patu (short jabbing club) and muskets, set off to march the four miles to Muriwai's village. Marsden and Kendall, who were staying with Matangi, went with them, and a number of people - anxious not to miss the fun - joined the party en route. At the river which ran through Muriwai's village, the expedition halted. On the other side, Muriwai's people were assembled and the parties hailed one another across the water. Matangi's people discharged their muskets in a single volley, and they broke into a haka (vigorous rhythmic posture dance, with chant) and retreated a little. Now Muriwai's people formed into a phalanx and - led by Muriwai's wife - advanced towards the river. The chief himself plunged in and swam to the other side with a few companions, where Muriwai's party made mock opposition to their landing. Amidst total confusion and shouting, there were more haka; then Muriwai and Wharemaru hongi'd (saluted each other, pressing noses). Matangi, still upholding the injury of his people, turned away. And Wharemaru and his

39. Marsden, Letters and Journals, p.185.

taurekareka - unimpeded - set about burning down the fence of Muriwai's enclosure, as utu for the fence which had been the source of all the trouble.⁴⁰

The taking of utu, then, was a very formal affair, with set rules of procedure. As such, it allowed a chief little freedom of action. In accordance with his duty to protect the honour of his kin, he articulated their grievances in public oration, advised on strategy, and led their taua. His observation of the rules tended in fact to defuse potentially dangerous situations. Though each side might be genuinely aroused, the ritual of negotiation, of speechmaking and of armed confrontation provided sufficient outlet for angry feelings. Relatives of both parties arrived to give advice, to show their support, to offer their services as mediators, and generally to see fair play. And because it could always be agreed who was the injured party, and who was owing damages, it was not difficult to reach a settlement. Whether such a settlement could be permanent - whether it would prevent further quarrels breaking out - was of course another matter.⁴¹ But this was not what utu was designed for. Rather it arose from a recognition of the fact that there were bound to be antagonisms between kinsmen and between neighbours, and it provided a mechanism for allowing disputes to run their course.

One further injury, of course, might be inflicted on the hapu. If any of their group were killed, they must seek vengeance (uto) from those responsible.⁴² In particular, the killing of men or women of chiefly rank should always be avenged (ea, mana) by a taua ngaki mate of tribal warriors. Again, this might on occasion be quickly done. Kahu-

40. Ibid., pp. 184-187.

41. The quarrel described above, for instance, was not at an end; not long afterwards it was reported to Muriwai that Matangi had been interfering with the bones of his ancestors. Marsden, Letters and Journals, p.199.

42. On the distinction between utu and uto, see Shortland, Traditions, pp.229-230.

tapere of Ngati Kahungungu, whose twin sons were murdered by their jealous relative Tupurupuru, set forth to do his duty as soon as his taua toto was assembled. His son-in-law Whakarau claimed the honour of striking down Tupurupuru - and, as Kahu-tapere did not wish his vengeance to fall on other of his relatives than the guilty man, the fighting ceased forthwith.⁴³

But very often, two hapu might continue for many years in a state of blood feud until weariness of spasmodic fighting brought them to a settlement - sealed perhaps by a chiefly marriage; or until one of the parties became too weak to fight further. On the other hand, the relatives of a dead chief might make no attempt to seek vengeance on his account, preferring to leave the responsibility to their descendants, when the time might be more opportune. Tutetawha, son of Te Rangita of Ngati Tuwharetoa, was taunted as a boy with the unavenged death of his grandfather Te Atainutai at the hands of Ngati Kurapoto. A few years later, therefore, he raised a taua ngaki mate which included his maternal kin, led by their chief Te Whitipatoto. While the taua attacked and took the pa which was the residence of the Ngati Kurapoto chief Tuwharetoa a Turiroa, Te Whitipatoto pursued the chief to a cave below, where he had been sleeping with his family. "It is I, Te Whitipatoto", he shouted in answer to Tuwharetoa's query, "and I have come to avenge the death of Te Atainutai!" Tuwharetoa, we are told, realised that his life was at an end. Bidding his wife escape the taua by swimming with her child across the lake, he himself returned to meet Te Whitipatoto, and offered his own mere (valued greenstone type of patu) "that I may take my end more gently!"⁴⁴

43. Mitchell, Takitimu, pp.106-109. Williams (Dictionary, p.397) distinguishes between a taua toto, 'summoned immediately after the occurrence of the disaster to be avenged ...', and a taua ngaki mate, 'a more deliberate proceeding.'

44. Grace, Tuwharetoa, pp.177-180.

The blood feud, it is clear, imposed further obligations on the chief. Tutetawha, challenged to avenge his grandfather, had no alternative - if he wished to retain the respect of his people - but to do so. Tuwharetoa, his men defeated, might perhaps have offered to defend his life in single combat. He chose instead to die - with them - a death which would bring not disgrace, but honour to his descendants.

CHAPTER 3

THE MAORI AND HIS LAND : PROBLEMS OF TITLE

From the time British colonisers and settlers first attempted to buy land in New Zealand, the nature of Maori land 'ownership' has been hotly debated. Since the outbreak of the Taranaki wars of 1860, moreover, the debate has very often been clouded by a tendency to refer back to the arguments so vehemently urged at the time by two opposed schools of thought. The first school - comprising those settlers who wished to fight for the land - has often appeared to be strictly opportunist. But the views of some of its adherents (notably Governor Gore Browne) were tempered by a sincere conviction that Maori chiefs must be forcibly prevented from exercising an obnoxious tyranny over members of the tribe who wished to sell their 'own' land.¹ The second - most vociferously represented by the missionaries - arose from an equally firm belief that far-sighted chiefs attempting to retain some part of their patrimony for their people were being victimised by a greedy settler government. Chiefs such as Wiremu Kingi therefore deserved full sympathy and support, lest the erosion of their mana and the loss of their lands resulted in the collapse of Maori society.

Few of the protagonists on either side, however, had any intimate knowledge of the principles of Maori land-holding. In England, in New Zealand, in the legislature and the press, they conducted heated arguments over issues which simply were not uppermost in the minds of

1. See, for instance, Professor Sinclair's discussion of Governor Gore Browne's Taranaki policy: Keith Sinclair, The Origins of the Maori Wars (Wellington, 1957), pp.138-149.

the Maori disputants. Nor was it till 1865 - when the first Native Land Court hearings were held - that the testimony of tribal elders the country over began to reveal more precisely the nature of Maori land disputes.

Under the terms of the Native Lands Act (1865), any Maori might apply to the Court to investigate the title of land in which he had a claim, with a view to obtaining a Crown title.² The court gave public notice of the date and place of hearing, which it was incumbent on all other interested parties to attend if they wished to sustain their own claims. The Judge was in practice a pakeha, usually bilingual, with a good knowledge of Maori customs. He was assisted by a Maori Assessor - who was supposed to have no interest in the case - and a clerk capable of acting as interpreter.

The processes of the Court were nothing if not comprehensive. When the Court convened, each party of claimants gave notice of its claim to all or part of the land, and of the grounds on which it intended to argue its case. Some groups might then agree to amalgamate their cases, in order to save time, to pool their resources and benefit from one another's witnesses - though it was not uncommon for such marriages of convenience to dissolve in the heat of the hearing. The original applicants were designated the 'claimants' - a status which gave them not only a psychological advantage, but also the privilege of presenting their evidence last - while all other parties were known as the 'counter-claimants'.

2. The Act constituted the Native Land Court of New Zealand a 'Court of Record for the investigation of the titles of persons to Native Land for the determination of the succession of Natives to Native Lands and to hereditaments of which the Native owner shall have died intestate ...'. 'The Native Lands Act 1865', 30 October 1865, Statutes of New Zealand, 29 Vict., no. 71. The amending Act of 1873 required that at least three Maoris apply for a hearing, and stipulated that all other claimants to the land (who were supposed to be named in the application) be sent a copy of the application. 'The Native Land Act 1873', 2 October 1873, Statutes (N.Z.), 37 Vict., no. 56.

There was no limit on the number of counter-claimants, and an individual whose claims were not recognised by any of the other groups was at liberty to bring forward his own case. In practice, as a result of amalgamation, there might generally be between three and seven parties of counter-claimants.

The conductor (kaiwhakahaere) of each case - an elder, an articulate younger Maori or, before 1873, a pakeha lawyer - called his witnesses in order, and might question them to slant the evidence as he wished. He could recall witnesses, and subpoena them, and could reopen his case - with the permission of the Judge - to present new evidence, or to answer the most damaging charges of his opponents. The only restriction on his enterprise (and not, it seems, a very compelling one) was the financial resources of his clients, as there was a fixed scale of charges for the presentation of evidence.³ The Judge, the Assessor, and a representative of each party of claimants were entitled to cross-examine, and if necessary to recall, any witness. The evidence was given in Maori, unless the witness were an English-speaking pakeha, and was generally translated and recorded in English. The Judge's own notes, however, might be taken in Maori or in a mixture of both languages. The Court might adjourn to examine the land under investigation, or to give the parties an opportunity of settling disagreements outside without losing face before an audience. Each kaiwhakahaere addressed the Court before the Judge retired to compose his judgement. Claimants dissatisfied with the verdict could apply to the

3. Fees under the 1873 Act were gazetted in October 1874. Each party paid one pound per day for a Court hearing, five shillings for a subpoena, three shillings for filing a document. ('Fees under "The Native Land Act, 1873"', The New Zealand Gazette, 1874, p.705.) A further fee was payable for cross-examinations.

Governor-in-Council for a rehearing of the case.⁴

The discussion of Maori land-holding which follows is based on the oral evidence of elders given at various Court hearings in the latter part of the nineteenth century. It aims simply to show how rights of usage were established, how they were maintained, and how quarrels over claims arose. It distinguishes between age-old methods of affirming claims, and those newly developed during the forty or so years of change which preceded the establishment of the Court. For the Maori had so far adapted their thinking to the requirements of an age of literacy, of litigation, and of a new landscape, that they came to construct Court cases in which the old and the new were unobtrusively amalgamated.

The Court, nonetheless, cannot be seen entirely as an artificial arena for the discussion of claims. It is true that its presumption to make final apportionments of land among the contending parties resulted in a certain note of desperation - a certain willingness to take liberties with the facts - pervading the evidence. Some evidence was manufactured, and some was so contradictory that the judges occasionally came close to despair. Some claimants were forced to present cases which the absence of their star witness, through sickness or extreme old age or deference to King Tawhiao, left patently unconvincing. Yet the Court was run by the Maori litigants themselves, according to their own principles. Though they used the new terminology, and categories, and shifted the emphasis of their presentation accordingly, they brought forward their own sort of evidence, in their own way. It would be naive, too, to accuse the Court of actually producing disputes. Tensions over

4. In practice the Chief Judge decided on such applications. His decisions were final; nor was he required to explain them. Many cases were in fact reheard, the proceedings beginning in each instance de novo. The above general account is based on an acquaintance with the Minutes of various Court cases. Practice varied from one Court to another, as the Act allowed Judges to make their own rules for Court procedure.

claims to eel weirs or boundary marks often lay dormant for years. A Court sitting was only one of many sparks which could fire a long-smouldering antagonism - and the sorts of discussions the elders would have had in their own meetings as to the rights and wrongs of either side, were much the same as those they had in the Courthouse.

Finally, no attempt is made to canvass the complete evidence presented in any one hearing, or to assess the relative merits of the cases. It is intended only to show some of the important points at issue as between one claim and another, and some of the arguments which might be given to support those claims. Within such a context, the conflicts which arose in the course of nineteenth century Maori land deals may perhaps be better understood.

The great Tainui ancestor Turongo, it was once said, had no mana over the land his descendants settled (mana whenua). The speaker was Wahanui Huatare of Ngati Maniapoto - one of Turongo's most distinguished descendants - and he went on to define Turongo's mana more exactly. Turongo had mana tangata (mana over men), mana rangatira (chiefly mana), mana ariki (the mana of a high chief), mana atua (as he was descended from Rangi), mana over battles and, finally, mana to beget men - or mana as the ancestor of such a strong and numerous people.⁵ In other words, Turongo had in his time been a great chief, whose personal mana had been then and ever since a source of intense pride to his people, and whose mana was enhanced as his descendants continued to multiply and to derive their whakapapa from him through ever-increasing numbers of generations.

5. Evidence of Wahanui Te Huatare, 9 August 1888. MLC, Otorohanga Bk. 4, (Rohepotae), Otorohanga Block, pp.247, 249.

It is clear, then, that Wahanui intended no disparagement of the mana of Turongo, or of Turongo's established rights of usage in the district where he had lived. Rather, he sought to remind a people bemused by the demands of the Court first, of the proper nature of chiefly mana, and secondly of the importance of retaining their old criteria for judging the worth of a claim to exercise certain rights on the land. A claim by virtue of the mana whenua of some early ancestor, he was arguing, simply did not meet those criteria.

Until the early decades of the nineteenth century the land was after all covered with forest, or with bracken and scrub. If people were travelling overland, they walked, and they walked single file along very narrow paths, from which the encroaching vegetation had constantly to be kept at bay. If each travelling party took the same route, it was more easily kept open; and this was why the paths from one settlement to another, or from a settlement to a cultivation, or a stream, were as well known as a modern State Highway. 'Footpaths are made in several directions,' Ensign McCrae reported in 1821, 'and the natives never leave them.'⁶ Thus parties crossing the Pirongia ranges between Kawhia and the Waipa always met along the way. A missionary and his companions, walking single file, each at his own pace, might be hours apart by late afternoon; yet no one had any difficulty finding the evening camp. Or if the missionary were preceded to a settlement by one of his party, anybody could be sent to meet him with a horse or with refreshments though he might be an hour's walk or more away. Travellers clung to their paths because the bracken on either side was impenetrable, or because an uncharted walk through the forest would have been both slow and dangerous.

6. Ensign McCrae, Evidence given before Commissioner Bigge, Historical Records of New Zealand, ed. Robert McNab (Wellington, 1908), Vol. 1, p.544. See also Evidence of Dr Fairfowl, ibid., p.553; Best, Forest Lore, p.33; Cruise, Journal, p.30; Earle, Narrative, p.72.

It may be argued, then, that the Maori was very little concerned with the ownership of the difficult stretches of bush and vegetation through which he so arduously beat a track. He knew whose territory it was he passed through. But it is doubtful if he ever thought in terms of 'owning' actual tracts of land enclosed by continuous boundaries. He was aware not of boundary lines - which he could neither define on paper nor (because of the nature of the country) point out on the ground - but of marks (tohu) at various places beyond which the district of his hapu did not extend, or could not extend without a fight. Tohu were natural, or artificial: a tree, a rock, an eel weir, a hole dug in the ground. Pakeha surveyors, later, might draw lines from one mark to the next, but they often traced an odd design; nor would such a boundary necessarily enclose all the resources to which the hapu had rights of access.

For it was the individual resources of the land - not the land itself - to which the hapu were anxious to establish their claims. It was trees and cultivations and weirs which were of economic and social importance to them - and over which, therefore, they always quarrelled. Innumerable examples might be given. Tukuha of Ngati Apa was killed by Ngati Rangitihi after a dispute about a fernroot preserve, and in the resulting fighting Tuhoe assisted Ngati Apa against the Arawa.⁷ A hapu of Ngati Manawa named Ngai Tawha gathered titoki (Alectryon excelsum) berries from a tree belonging to Ngati Apa, and Ngati Apa at once went to drive them away and killed Pakau, one of the leaders.⁸ The chief Ueimua disputed the right of his elder brother Tuhoe to a cultivation; the two brothers fought and Ueimua was killed.⁹ Ngati Rakai-rangi and Ngati

7. Best, Tuhoe, p.436. Ngati Rangitihi were an Arawa hapu.

8. Ibid., p.418.

9. Ibid., p.243.

Hikawera disputed the ownership of a snaring tree (pua-manu), and competed with each other at the start of the season to set their snares in the tree first. Finally Ngati Rakai-rangi threw down the snares of their adversaries and destroyed them. Following footprints from the tree they came on a man of Ngati Hikawera whom they killed, and fighting broke out between the two hapu.¹⁰ And when Shortland visited the Waikato in 1842 a fierce dispute was raging between Ngati Mahuta and Ngati Pou over an eel-pa (rau-wiri) across one of two channels at the outlet of Lake Whangape.¹¹

Such quarrels, however, never arose haphazardly. For in this non-literate society, a man could claim only those resources with which he had established an historical connection through his ancestors. The scattered, scanty nature of the resources, too, demanded that he maintain the association over an extensive tract. Unlike other Polynesians, whose reliance on staple crops allowed them to develop strong historical associations with fixed, narrowly-defined portions of land, the Maori - as hunters and gatherers - had constantly to be on the move. Nor were their habitual movements affected by the introduction of the kumara. As Colenso and Best both pointed out - though they lived and gathered information in quite different parts of the country - the chief concern of the Maori gardener was to conceal his crops from visiting taua, and he often planted them scattered about the bush in small clearings. Even after the introduction of the potato among Tuhoe, Best found, 'cultivations were small, merely a few yards square, for the better concealment thereof.'¹²

10. Major Tu-nui-o-Rangi, 'Kakahi-Makatea Pa, Lower Wairarapa', JPS, 1904 13 (2): 128-129.

11. Edward Shortland, Journal of a Journey to Matamata, Tauranga and Waikato, 8 October 1842, et seq., MS. in Hocken Library, pp.111-125.

12. Elsdon Best, 'Notes on the Art of War, as Conducted by the Maori of New Zealand ...', Part 9, JPS, 1904 13 (1): 15. See also Colenso Papers, Vol. 1, p.144.

And at the Bay of Islands in 1833-34 John Watkins had seen small gardens, 'perhaps Half an Acre of Ground cultivated in various Spots'.¹³ Yate, noting that there were generally gardens close by the whare, for immediate use, added that cultivations were scattered; '... the kumera-ground is sometimes many miles from the potato-field; the early potato is sometimes many miles from either: and the Indian corn is planted anywhere, as it flourishes in almost any place where they choose to plant it'.¹⁴

The missionaries, who frequently had to travel miles in search of their congregations - either on foot or on a horse which was seldom at the height of its physical powers - kept up a constant refrain as to the difficulty of maintaining churches and schools among such a shifting population. Here is George Buttle's account of one unhappy Sunday:

Approaching the village, we were met by a man who told us it was of no use our going further as there was no one there the Natives having removed to a place at a distance. Thither we directed our course, but on arrival it was only to experience another disappointment, the solitary woman whom we found informed us that those whom we were seeking had separated some in one direction and some in another to their respective plantations. [B]ut none of them within reach. As nothing could be done here journeying forwards[;] towards evening we fell in with a little company of Maoris mainly belonging to the Church Missionary Society.¹⁵

Such mobility was a result as well as a cause of a new approach to the problem of safe-guarding claims. For the Maori expressed his claim to territory by both the social and the economic activities he carried out within it. As he continually shifted the sites of his cultivations, and of his pa, he established the principle that he had a right to build and to plant anywhere within the territory he claimed, as the need arose. By

13. Evidence of J. Watkins, BPP, '1838 Report of Select Committee', p.18. Nga Puhi, of course, also had sizeable gardens of up to fifteen or twenty acres, to cope with the demands of the shipping. But the point stands.

14. Yate, Account of New Zealand, pp.155-156.

15. Geo. Buttle to Rev. [Geo. Osborn], 5 April 1853, Methodist Missionary Society, London, In - Letters, New Zealand 1819-82 [MMS], p.2.

insisting on his right to freedom of movement over the land he was able to safeguard access to resources as yet untapped, not only for his own but for future generations.¹⁶ Every generation, therefore, recognised their duty actively to maintain the rights which had been bequeathed to them, lest their children find that their bond with the land had been weakened. Each whare and each eel weir they built, each kauri or totara they felled, each catch of rats they took, confirmed their right and that of their descendants to continue to live and gather food and build their canoes in that district. Every single action which any member of a hapu performed on the land, came in fact to be recognised as a reinforcement of the claims of the whole hapu.

But it was not enough simply to have been successful in maintaining one's rights. As the hapu struggled to protect their claims against competitors, it was found essential to preserve - and constantly to update - a knowledge of the history of their occupation. Because such knowledge was transmitted orally, and must survive the passage of time, every effort was made to assist the memory of succeeding generations. Where an intruder had been defeated, for instance, the fact was recorded in a name or names given either to places on the land, or to chiefs or their children.¹⁷ And the Maori went further, and adapted his whakapapa for use in connection with land claims. Since the validity of claims was dependent on their constant reinforcement, it became necessary (ideally) to recite a

16. Cf. the objection of some Kaipara people, in 1841, to their missionary's suggestion that they build and occupy a permanent village: 'they said, the great obstacle to their permanent residence in one place is their extent of land, for they suppose, if they do not maintain their rights by cultivating & occupying different portions - they would be in danger of losing it by intruders'. James Buller to General Secretaries, 30 April 1841, MMS, p.6

17. If the intruder had been expelled at the cost of lives, of course, a well-born child might be named to remind him and his people of a score still to be settled.

very specific whakapapa in relation to any particular claim: one which included the names of chiefs and elders who in each generation had maintained those claims. As claims might be transmitted either matrilineally or patrilineally, this meant that a single claimant might need several distinct whakapapa to cover all his rights.¹⁸ And in a polygamous society it meant also that there was ever-widening scope for disagreement, as the descendants of siblings of successive generations sought to uphold their claims against one another.

The same questions, however, were asked of every claimant: could he produce an admissible whakapapa? Could he show where each of the ancestors named had lived and cultivated and caught his eels? Could he point out the places where they had received their moko (tattoo), and where their bones were deposited? Could he repeat the names which they had given to rocks and trees and other places, which proved that they had been anxious to strengthen their ties with the land? Did he know his tohu? Could he, in short, produce a record of intimate association with the land through the generations, supported by both physical evidence and the nomenclature of the district?

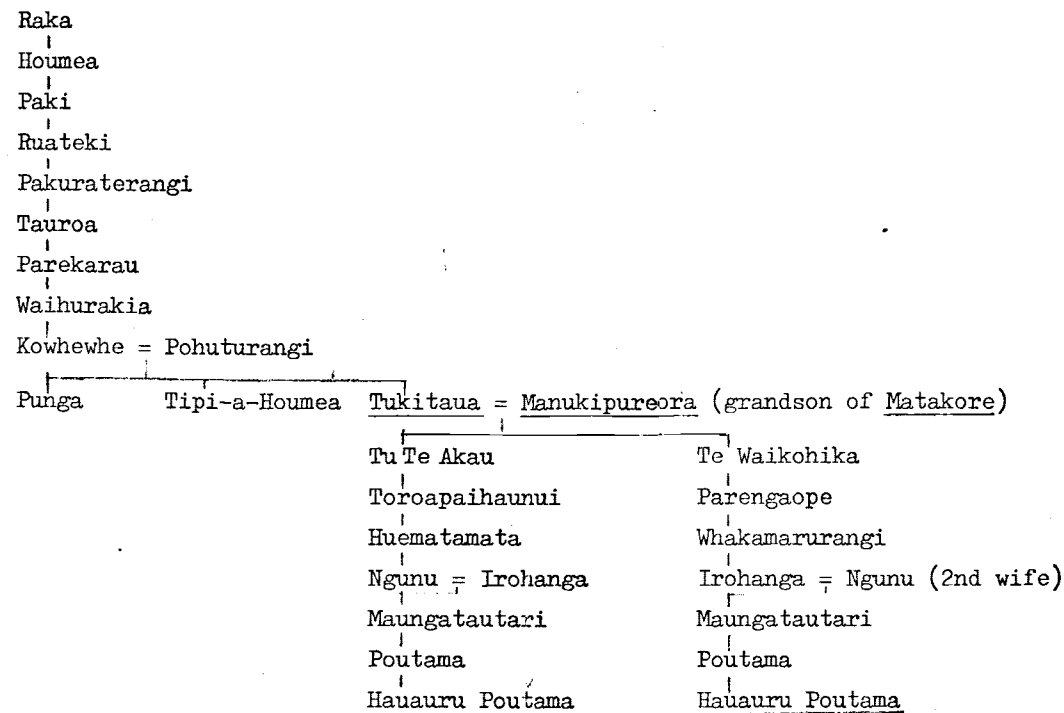
These criteria, clearly, were established only as they were needed. As the population increased and competition for resources intensified, men had to justify to their opponents their right to exploit certain resources, and to show why that right could not be interfered with. In these circumstances, there were obvious restrictions on the use of whakapapa to support land claims. Only the most recent names on a whakapapa were of any real assistance: those which could be shown to be intimately connected with the land.¹⁹ Early ancestors were of no help because

18. (see over, p.68.)

19. Whakapapa presented at Court hearings of sub-division cases thus tend to be 'horizontal' rather than 'vertical'. The smaller the piece of land involved, the less concerned men were with the origins of their claims, and the more with proving the entitlement of each of their contemporary relatives. Such detailed knowledge tended to embrace not more than half a dozen generations.

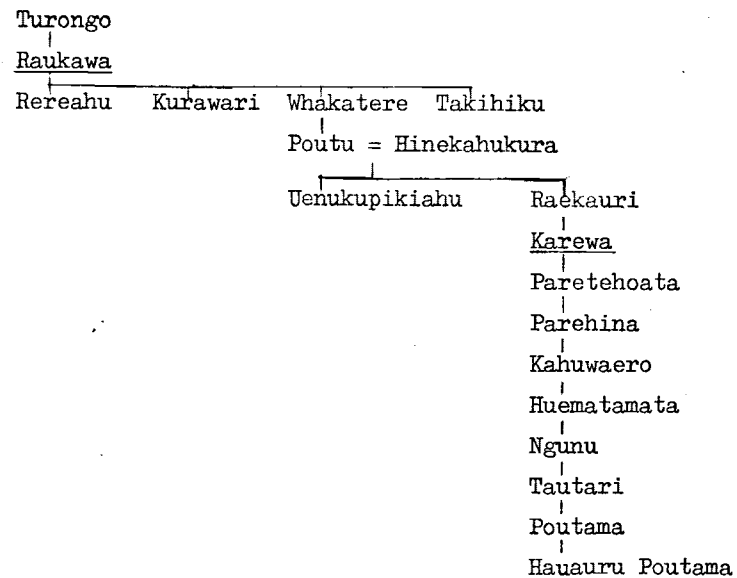
18. Thus appropriate whakapapa were given by, or on account of the chief Hauauru, who claimed land in various districts of the Rohepotae (King Country), as follows:

a) To substantiate his claims from Matakore and Tukitaua:



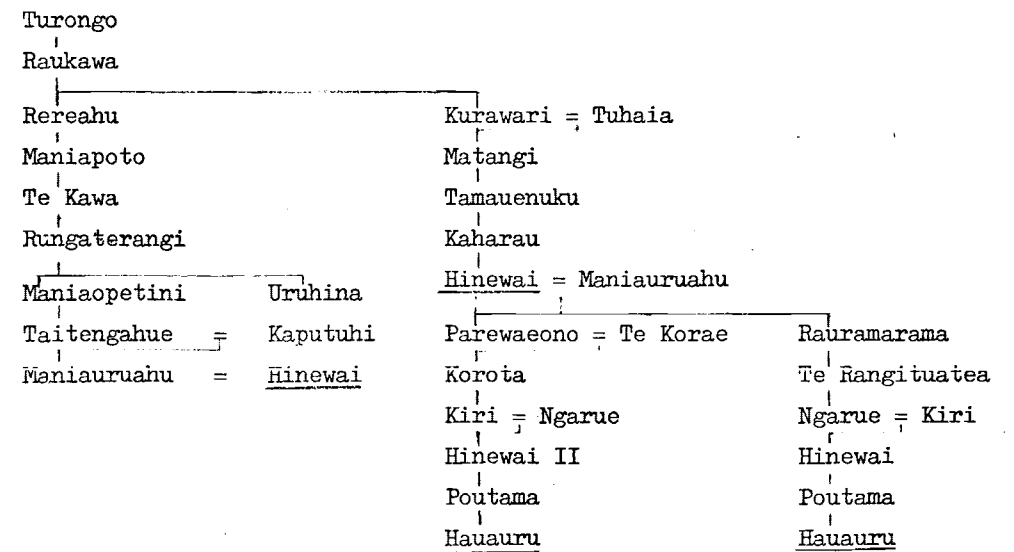
Evidence of Te Rauroha Te Ngare, 25 April 1888. MLC, Otorohanga Bk. 3, (Rohepotae), Kopua-Pirongia, taken from whakapapa attached to p.100.

b) To substantiate his claims from Raukawa and Karewa:



Evidence of Hauauru, 8 May 1888. MLC, Otorohanga Bk. 3 (Rohepotae), taken from whakapapa attached to p. 226.

c) To substantiate his claims from Hinewai:



Evidence of Wiari Te Naunau, 23 August 1888. MLC, Otorohanga Bk. 4, (Rohepotae), Otorohanga Block, taken from whakapapa attached to p. 310.

their descendants were so numerous and so widely scattered. And in this sense, too, there was nothing to be gained from a reference to the mana whenua of Turongo, at a time when his descendants were spread throughout the Waikato and the King Country.

By the middle of the nineteenth century the New Zealand landscape had undergone dramatic changes. As Maori and settler alike sought new uses for both the timber and the land, the bush cover was rapidly disappearing. Dieffenbach, noting in 1840 that the kauri was already a scarce tree, lamented that he had often seen kauri forest burning, 'not fired for the purpose of clearing the land, but in order to get a dozen or two of logs: sometimes the conflagration has been caused by neglect ...'²⁰ In any case, because of the great quantity of resin around the pine, the fire always spread rapidly.

Further south, the bush retreated to make way for the cultivation of the potato and of wheat. It was a slow and an uneven process - but one which was irreversible. John Johnson bemoaned it as he watched Ngati Te Ata preparing the ground for their gardens near Tuakau in 1846:

... it was painful to see the usual destructive way in which they were carrying on their cultivation, by setting fire to the wood - hundreds of noble trees were lying about, charred and blackened, or standing deprived of bark and leaves, and some were still burning. This is of course a necessary operation, in clearing forest land, but as the natives seldom grow more than three or four crops on the same ground, the work of destruction is continually going on, and the forests are daily diminishing.²¹

20. Ernest Dieffenbach, Travels in New Zealand; with Contributions to the Geography, Geology, Botany, and Natural History of that Country (London, 1843; reprinted Christchurch, 1974), Vol. 1, p.228.

21. John Johnson, 'Notes from a Journal', in Taylor, Early Travellers, p.120.

Early the following year, Johnson was in time to chronicle the death of the forest at Matamata:

We had seen immense volumes of smoke issuing all day from the forest around Mata Mata, and when within two miles of it, we distinctly saw its northern extremity on fire, which extending to the plain had ignited the dry grass and fern and even reached our track ... As the evening came on, the sight was terribly magnificent. Hundreds of gigantic trees were in flames from their roots to the topmost branch and were continually falling with a loud crash, sending up clouds of fiery sparks which the wind hurried along in meteor-like streams ... the crackling and hissing of the flames, and the thundering noise of the falling trees, with the terrified shouts of the people, affected every sense in a manner that was almost stupefying. Yet, such was the grandeur of the scene, that it was almost impossible to quit it, and we remained gazing at the fearful spectacle till a late hour ... On going out in the morning we found that the fire had passed beyond the pa, but numbers of tall trees were still burning, and the rest of the beautiful forest I had so much admired on a former visit was now a mass of smoking ashes and charred trunks.²²

On this newly exposed ground the Maori planted crops and grass-seed, erected fences, drew boundaries. He saw the commercial value of his land, the new opportunities it offered for competition with his neighbours. And as he did so, he found the pakeha clamouring for the land for themselves - and many of his fellows anxious to sell. Thoughtful chiefs - determined to prevent sales which were merely frivolous - began to speak of mana whenua (mana of the land), which had descended to them from their ancestors, and inhered in them alone.²³

22. Ibid., pp.182-184.

23. Professor G.S. Parsonson first suggested to me that mana whenua was a late development, consequent upon the emergence of new attitudes to land. See also Thomas Buddle's contention, first expressed in his pamphlet of 1860 on the Maori King Movement, that the exhortation 'Kia mau te mana o te whenua' (hold fast the mana of the land) originated with the Kingites. Buddle wondered if the usage was derived from the translation of the Queen's sovereignty over the land by the Maori word mana. AJHR, 1890 G No. 1, 'Opinions of Various Authorities on Native Tenure', p.11.

CHAPTER 4

THE MAORI AND HIS LAND : THE ESTABLISHMENT OF A CLAIM

The several take (the origins of one's right of usage) may be simply stated. Where possible, men claimed by virtue of ancestral occupation (take tupuna) and subsequent continuous occupation (noho tuturu). In connection with these, two other take were often given: discovery of the land (take kite); and power to hold the land, and to repel intruders (atete). And in the wake of the displacement of so many people in the early 19th century (which the establishment of the Court post-dated by a mere fifty years) two new take - by conquest (take raupatu) and by gift (take tuku) - came to be pleaded.

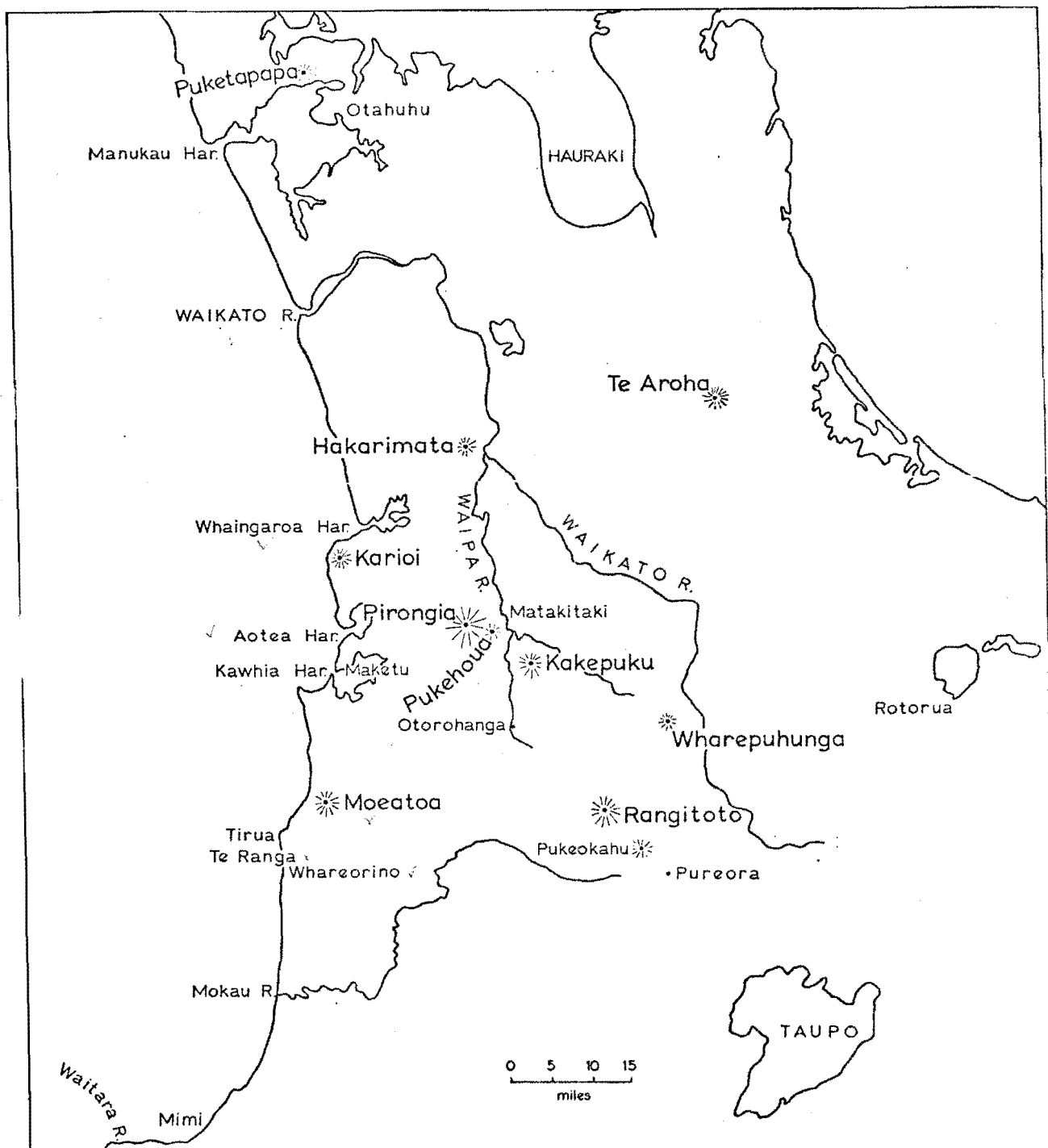
Take Kite and Take Tupuna

If few hapu were able to claim that their earliest known ancestor had actually lived for any length of time in the particular district they now inhabited, there was nonetheless a very general desire to show that this ancestor had been the first - on the arrival of the colonising canoe from Hawaiki - to see, to stand on and walk about over land which could later be identified as Canoe territory; and that he or his immediate descendants had thereafter perambulated this district without opposition. Proof of these historical tribal connections with the land was adduced in the names which the first explorers were said to have bestowed on various spots and natural objects, thus forestalling any potential competitors.

The Tainui people Ngati Paiariki, for instance, rehearsed the travels of their progenitor Raka, the tohunga karakia (priest) of the Tainui canoe, in minute detail.¹ It was Raka, they claimed, not Hoturoa the captain, who had been the first to reach the Waikato and, subsequently, to traverse the Tainui district. For Hoturoa had been angered during the voyage by Raka's affection for his daughter Kahukeke, and when Tainui reached Otahuhu Raka had deserted the canoe to make his own way overland to the coast. Some of his people followed him, and he sent those who were skilled in making birds appear south into the mountains, to recite their karakia. They passed Pukapuka and Motakiora and Hakarimata and Pukehoua, where Rotu remained, so that the place was known ever since as Paewhenua. Nearby the rest of the party set up tuahu (sacred places, marked by an enclosure containing a mound), Tanekaitu and Moekakara, and Hiaroa chanted his prayer to attract the birds, and birds of every species came and settled at Paewhenua. When all the birds had arrived, a late-comer appeared: a very large bird which came and settled on the mangeao tree (Litsaea calicaris) close to Rotu. Rotu threw his spear at it and missed, hitting the branch beneath the bird, so that the bird flew off. Then the other birds took flight towards the sea, and Hiaroa seeing this called out "Ko wai tera e kokoti mai ra i te ika a Hiaroa?" (who is that cutting the fish of Hiaroa?) to which Rotu answered "Ko au, ko au, ko Rotu. Waiho, waiho kia whakaraua ake". (It is I, it is I, Rotu. Wait, wait until I make of it a captive.)²

1. See evidence of Rihari Tauwhare, 24 May 1888. MLC, Otorohanga Bk. 3, (Rohepotae), Kopua-Pirongia-Kawhia, pp. 322-326.

2. The translation is taken from Kelly, Tainui, p.59. I have also followed Kelly in the spelling of Hiaroa's name, which is given in the Minute Book as Hiroa or Hiora.



Map 1. Raka's discovery of the Tainui territory.

But the large bird evaded the power of the karakia; though one account had it later killed at Mokau, where it was called Tauherepu. 'From that time to this no other bird like it came to those shores, but only birds of a smaller kind.'³

It was, then, one of Raka's people who was responsible for the dearth of large winged birds in the new country. But it was Raka's followers, too, who called all the other birds on to the land. Even the birds had arrived at Raka's bidding and Hoturoa was still looking for an anchorage for his canoe. This, too, was Raka's doing. He had gone in the meantime to Puketapapa (Mt Roskill) on the Manukau Heads, with Hiaroa's sister. Here they lit a fire, and Raka began his karakia to keep the Tainui - now paddling south after rounding the North Cape - from entering the harbour. In this way he prevented Tainui from entering not only Manukau, but all the west coast harbours.

Eventually, Raka and his companion left Manukau and headed south. They crossed the Waikato River, where they named two places - one on the north side, which they politely called Te Piko-o-Hiaroa (Hiaroa's bend), and one on the south (Poroaki). At Whaingaroa (Raglan), Raka erected the first tuahu in that district, which he named Tuahupapa; and chanted his karakia. He went on to Ngairo (between Whaingaroa and Kawhia), to chant more karakia, and to make another tuahu at Maketu named Ahurei. Raka made all these marks on the land before the Tainui ever came to anchor off the coast - for she went as far south as Taranaki before turning back to land at Mimi. Only then did Hoturoa bring his vessel up on shore, and fasten it to posts. As he set off north on foot to explore the land Raka, coming south, was nearing Moeatoa, but he turned back inland at the sandy beach between Tirua and Moeatoa, towards Whareorino. Shortly afterwards Hoturoa came onto the

3. Rihari Tauwhare, MLC, Kopua-Pirongia, p.324.

beach, Te Ranga, and saw Raka's foot marks. Why the hape has been here, he said, and was overcome with finer feelings.⁴ Whereupon Raka - not one to miss his cue - arrived back at the beach, and the two men had a tangi. Again, Raka had been first, as Hoturoa himself testified when he came across Raka's footprints in the sand. The fact that he was provoked to comment on his discovery recorded Raka's triumph for posterity. Now reconciled, the chiefs returned to Kawhia together, and Raka was married to Kahukehe.

Not until their three children were grown up did Raka return inland. First, though, he took care to consolidate his position on the coast. He erected the two stones Hani and Puna whakatupu-tangata; Hoturoa was to represent Puna (the growing of men) and Raka, Hani (the warrior spirit). He sent his youngest son Kakati to his tuahu at Karioi, and Kakati's elder brother Tuhanga to that at Moeatoa, and gave Ahurei into the care of Houmea, the eldest of his children.⁵ In short, he made it clear that the lands he had discovered were to pass to his descendants. He had no intention of resigning the claims he had established on the coast, merely because he was leaving it.

4. Raka had twisted feet. (hape, crooked).

5. The whakapapa given in Kelly, Tainui, p.69, shows Kakati as the son of Raka's descendant Rakamaomao, and Tuhanga as Kakati's son:

```

Hoturoa
|
Kahukeke = Rakataura
|
Ngare
|
Hape
|
Rangaiho
|
Kahupeka
|
Rakamaomao
|
Kakati = Kurawakaimua
|
Tuhanga

```

When his preparations were complete, Raka set off inland, to confirm his rights of discovery and those of his followers. The woman Kahukeke went with him: a clear sign to their descendants that the land was intended for their settlement. As they travelled, they began to forge close bonds with the land, giving names - Kahu's name - to the hills which commanded the district through which they passed:

when they got to Pirongia they named it Pirongia o Kahu ... they named Kakepuku o Kahu, Rangitoto o Kahu, Wharepuhunga o Kahu, their child was born here & they named it Hape ki tu Tuakake, in order for the child to get strong; after that they left. Kahu was taken ill & Raka offered up prayers for her & performed ceremony [sic] thro' which she recovered and the place was named Pureora o Kahu [the place where rites were performed for the recovery of Kahu]; at that time Ngato-roirangi discovered their whereabouts and expected they would take possession of Tongariro he went to the top of it and Raka went to the top of Pukeokahu, and his wife died there, which caused him to end his journey that is why the place is named Pukeokahu. After his wife's death he left his son [at] Hapekitetuarake at Puke[o]kahu, & went to Te Aroha & he named the two peaks one Te Arohauta and the other Te Arohatai - one because of his affection for his wife & son and the other on acc[ount] of his affection for his children at Kawhia. He took a woman to wife at Te Aroha named Hinemarino and he died there ...⁶

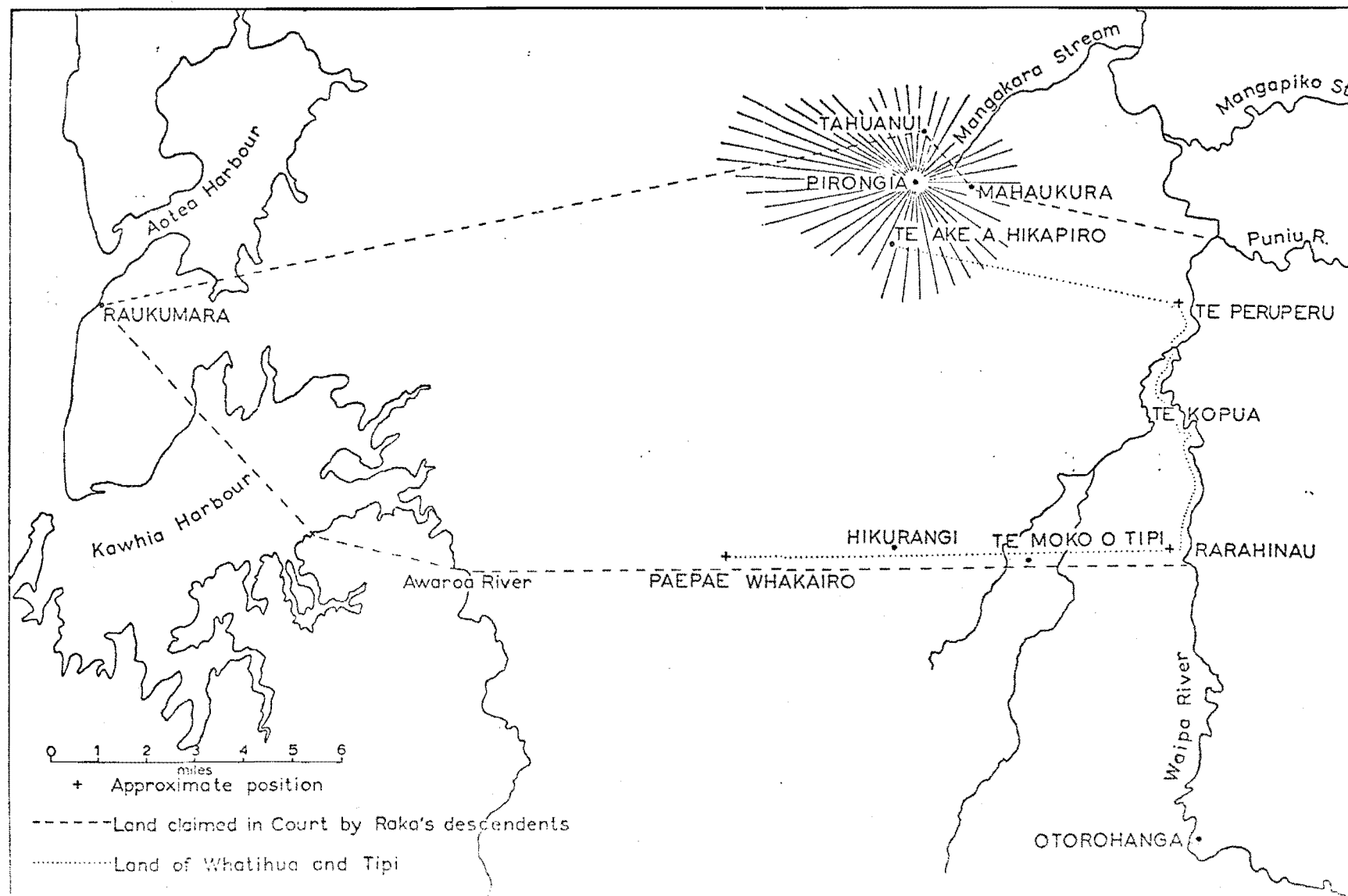
Take Tupuna

The importance which Ngati Paiariki attached to Raka's progress over the land - his take by discovery - derived from the particular nature of their ancestral claim to land west of the Waipa River. Paiariki, their own tupuna, had no close connection with the land; yet it was from him - by a rather circuitous route - that the ancestral claim was traced.

First (and this was exactly the sort of thing Wahanui had been complaining about) they invoked the mana whenua of Raka. They went on to explain

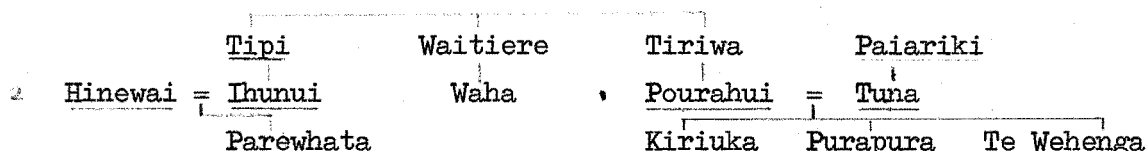
6. Rihari Tauwhare, MLC, Kopua-Pirongia, p.326. Ngatoroirangi was the priest and senior chief on Te Arawa canoe, the ancestor of Ngati Tuwharetoa. Tuwharetoa traditions confirm that he knew the Tainui canoe had reached Kawhia, and intended to visit Hoturoa after claiming land at Taupo for his people.

Map 2. Land claimed in Court by Raka's descendants.



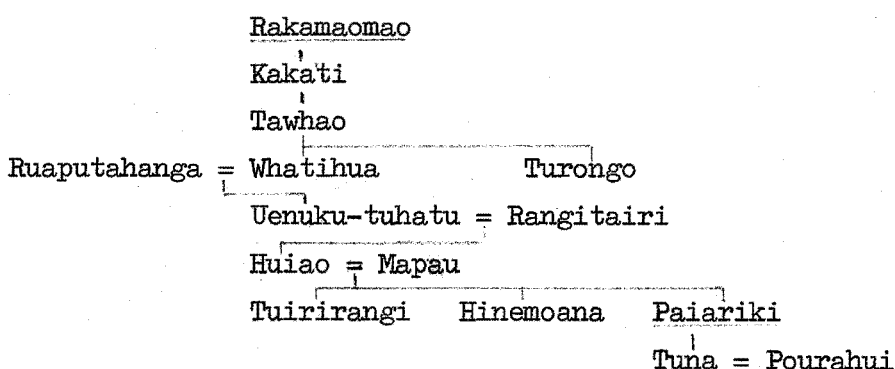
that Paiariki had been a chief of great personal mana, inheriting his mana from Raka through Raka's son Houmea.⁷ It followed, then, as Raka had so early and convincingly established his rights to the land from Kawhia to Kakepuku, that Paiariki's mana also embraced the land. And Paiariki's hitherto latent mana came to rest firmly over the land through two crucial marriages.⁸ Paiariki's son Tuna married Pourahui, and Hinewai married Ihunui; and both spouses were descendants of the ancestor Tipi who, it was generally agreed, had first settled on the land:

Table 4. Showing the connections through which Paiariki's mana was said to have come to rest over the land.⁹



Under the mana of Paiariki, then, a firm ancestral claim could be set up through Tipi - a claim, moreover, which embraced most of the hapu of Ngati Paiariki: Ngati Te Waha, Ngati Parewhata, Ngati Pourahui, Ngati Purapura.

7. Rihari Tauwhare, ibid., p.364. A whakapapa showing Paiariki's descent from Rakamaomao is:



8. Te Wi Papara, ibid., p.404.

9. Based on whakapapa given by Te Wi Papara, ibid., attached to p.366. Elsewhere Tiriwa was said to be Tipi's daughter.

Further, it was argued, Tipi himself had come on to the land in association with others of Raka's descendants: Rakataura III, Te Ariari, Horotakere, Puhiawe, and notably his uncle Whatihua.¹⁰ Together the chiefs had undertaken a complete subdivision of the land under Raka's mana. Rakataura III, Hounuku and Motemote laid down the boundaries west of Pirongia, sharing among themselves the land surrounding Aotea and Kawhia harbours. At Tahunui (a peak of Pirongia) Raka met his grandson Horetakere, and they carried the boundary together to Mangakara and into the Waipa. Puhiawe, Maru and Horetakere took the line from Puniu River, going up the Waipa to Peruperu. Tipi and Whatihua meanwhile started together at Paepaewhakairo - the easternmost point of Raka's boundary - and worked east with Taihakurei towards Hikurangi, where Taihakurei's piece ended. From Hikurangi they continued down to Rarahinau on the west bank of the Waipa river, then down the river to Mangahuka and Peruperu.¹¹ Thus Whatihua and Tipi staked out their territory - east of Pirongia, south of a line from Peruperu to Te Ake a Hikapiro - together; and they did so under the mana of Raka.¹²

10. This was not the same Whatihua who was the son of Tawhao and brother of Turongo; but was one of his descendants.

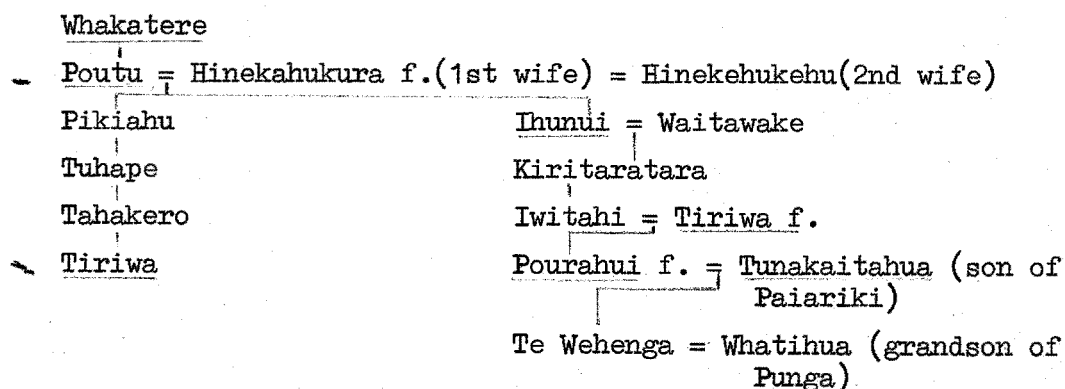
11. Note that the northern boundary as marked on the map was an artificial one, because of the Confiscation line which ran west from the mouth of the Puniu River. The 'proper' northern boundary ran down the Mangakara stream into the Waipa. The land of Puhiawe, Maru and Horotakere was said to be to the north of the line from Te Ake a Hikapiro to Peruperu, while Ngati Hikairo's was that north of a line from Paepaewhakairo to Kawhia.

12. Rihari Tauwhare, *ibid.*, pp.327-328. It would seem highly improbable that such 'subdivisions' took place in the manner described; even Tauwhare admitted later that the boundaries were not all laid down at the same time, but were marked over a longer period. But the Court was obsessed with boundaries and subdivisions, and it is not surprising that men tailored their evidence accordingly.

Ngati Paiariki's insistence on the connection of Raka and his descendants with the land is more easily understood in the light of the claims of their opponents. Ngati Matakore were descendants both of Raka and of Hoturoa, who did not need to acknowledge Raka's take. Their own ancestor Matakore had not lived in the district, and they claimed jointly through Tipi, his brother Punga and his sister Tukitaua, all of whom had lived on the land. Ngati Paiariki, therefore, had been unable to admit Punga and Tukitaua, because to do so was to admit the rights of Ngati Matakore. (To explain Punga and Tukitaua away, they remembered quarrels among the three ancestors. Tipi and Tukitaua, they thought, had fallen out over a kumara cultivation, and Tukitaua had afterwards gone away to Araikotore. The dispute between Punga and Tipi - over bird-catching places - was more serious, and resulted in Tipi's alliance with his uncle Whatihua.)¹³

The Ngati Matakore challenge to the take tupuna of their opponents was directed against the key Ngati Paiariki whakapapa. Ihunui, they alleged, was a son not of Tipi, but of Poutu, son of Whakatere; both he and Tiriwa, therefore, belonged to Ngati Whakatere:¹⁴

Table 5.



13. Rihari Tauwhare, ibid., pp.327, 350.

14. Part of whakapapa given by Tiriwa Takerei, 18 June 1888, 'to show that Ihunui was a son of Poutu and not of Tipi as stated by N'Hikairo and N'Paiariki' MLC, Otorohanga Bk. 4, (Rohepotae), Kopua-Pirongia-Kawhia, attached to p.74.

And they went on to give their own whakapapa, to show how they came to be connected with Punga, Tipi and Tukitaua. Avoiding a possible route through Whatihua, they gave a line through Kowhewhe (parent of the three siblings) from Raka:

Table 6:

```

Raka
|
Houmea
|
Paki
|
Ruateki
|
Pakuraterangi
|
Tauroa
|
Parekarau
|
Waihurakia
|
Kowhewhe = Pohuturangi
|
Punga   Tipi   Tukitaua

```

and claimed relationship through the marriage of Matakore's great-grandchild Manukipureora to Tukitaua.¹⁵ They could also point to the descent of Pohuturangi from Matakore's younger brother Tuwhakahekeao:¹⁶

Table 7:

```

Raukawa
|
Matakore ----- Tuwhakahekeao
|
Tuhoputai
|
Pohuturangi = Kowhewhe
|
Punga       Tipi       Tukitaua

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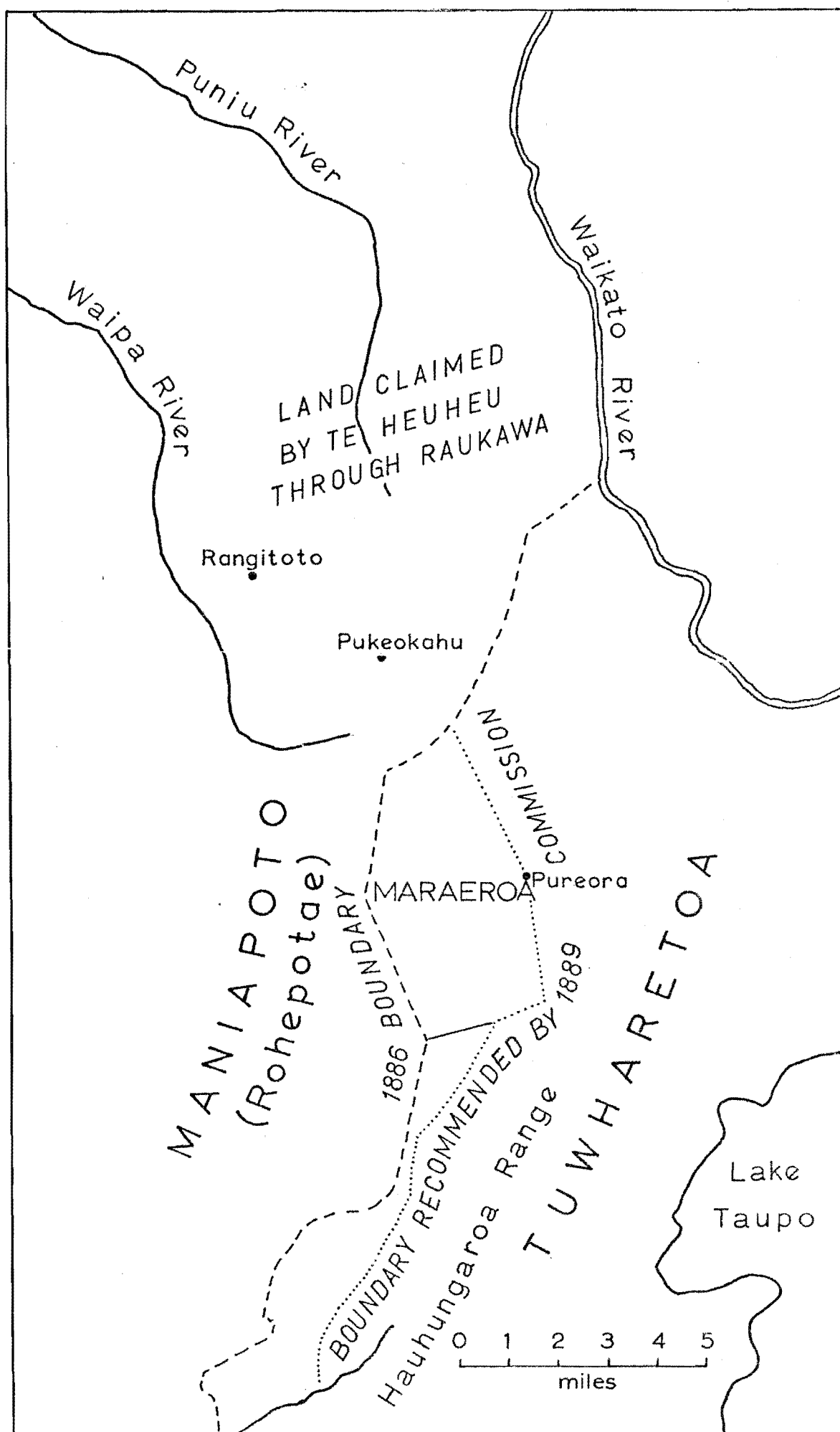
15. Part of whakapapa given by Te Rauroha Te Ngare, 20 April 1888. MLC, Otorohanga Bk. 3, (Rohepotae), Kopua-Pirongia, attached to p.100. See also evidence of Te Anga, ibid., p.92, and evidence of Hauauru, ibid., p.128.

16. Taken from a whakapapa in Judge Gudgeon's Minute Bk. No. 6, Otorohanga Minute Book Vol. 12, attached to p.100. MS in Hamilton Maori Land Court. See also evidence of Te Rauroha Te Ngare, MLC, Kopua-Pirongia, p.103.

But these whakapapa were only useful because Punga, Tipi and Tukitaua had been the first tupuna to settle permanently on the land, and to forge special ties with it. The whakapapa embodied personal relationships; they did not in themselves prove a title to the land. Ngati Matakore would admit the descent of Punga, Tipi and Tukitaua from Raka; but the mana that passed to Raka's children was not mana whenua, and Raka's perambulations must therefore be counted irrelevant.

A dispute over the nature of a take tupuna might on occasion be conducted with considerable ingenuity. In 1886 a bitter quarrel erupted when Te Heuheu Tukino of Ngati Tuwharetoa tried to claim the land called Maraeroa on the north-west Tuwharetoa border. The Court decision in his favour so gravely offended his Ngati Raukawa relatives that they complained to the Native Minister, laid an action in the Supreme Court, and refused to proceed with any other case in the Land Court until some assurance of redress was forthcoming.¹⁷ Yet Ngati Raukawa did not dispute Te Heuheu's claims to Maraeroa, and they did not dispute the ancestor Karewa from whom his claims - and theirs - derived. The trouble arose simply because of the manner in which Te Heuheu presented his claims. With the Court waiting to dispense a final decision on Maraeroa, Te Heuheu had hoped to include it as part of the Tuwharetoa land district - rather than lose it to the Ngati

17. The Ngati Maniopoto chief Taonui was fined forty shillings for contempt of Court at the time the Maraeroa Judgement was delivered (26 March 1886). W.G. Mair, who was in Alexandra to begin work on the Rohepotae hearing, reported that 'Maniapoto are all rurururu [up in arms] about some line that 'Tuwharetoa are said to be cutting North of Hurakia and are not ready to do anything in connection with the Rohepotae ...' W. Mair to [Gilbert Mair], 6 March 1886. Correspondence of William Mair, 1886, Mair Family Papers, Alexander Turnbull Library. The Native Minister finally agreed to appoint a Royal Commission to investigate the matter in 1889; their report was printed in AJHR, 1889 G No. 7.



Map 3.

The land at dispute between Ngati Raukawa-Maniapoto, and Te Heuheu Tukino.

Maniapoto Rohepotae. He therefore risked Ngati Raukawa (notably Ngati Matakore) wrath by producing a whakapapa which showed that Karewa's mana had descended from his ancestor Tuwharetoa.¹⁸

Table 8: Showing Te Heuheu's claims to Maraeroa from Tuwharetoa, through Karewa.

| | | | |
|----------------------------|---------|--------------------|-------------------------|
| | | Tuwharetoa | |
| | | Rongomaitengangana | |
| | | Whakatihi | Raukawa |
| | | Tupoto | Whakatere |
| | | Hinekekehu f. | = Poutu m. |
| | | | Raekauri ✓ |
| | | | Karewa ✓ |
| | | | Pakararaua |
| | | | Tukemata-o-rehua |
| | | | Kohuru-a-te-po = Hinetu |
| Kihi | Tokaroa | [Hungahunga] | Te Hia |
| Rangiaho | | Pango | Matekau |
| Te Heuheu | | Tukino Makere Te | Te Paehua |
| Te Heuheu Tukino (witness) | | Hinewai | |

Tuwharetoa's descendant Hinekekehu, he suggested, had been the first person to live in the district. She had been taken there by her father Tupoto, who also laid down the boundary, and she was living there before her marriage to Poutu of Ngati Raukawa. Poutu came on to the land afterwards; he found Hinekekehu there and married her.¹⁹ Thus Raekauri and Karewa both derived

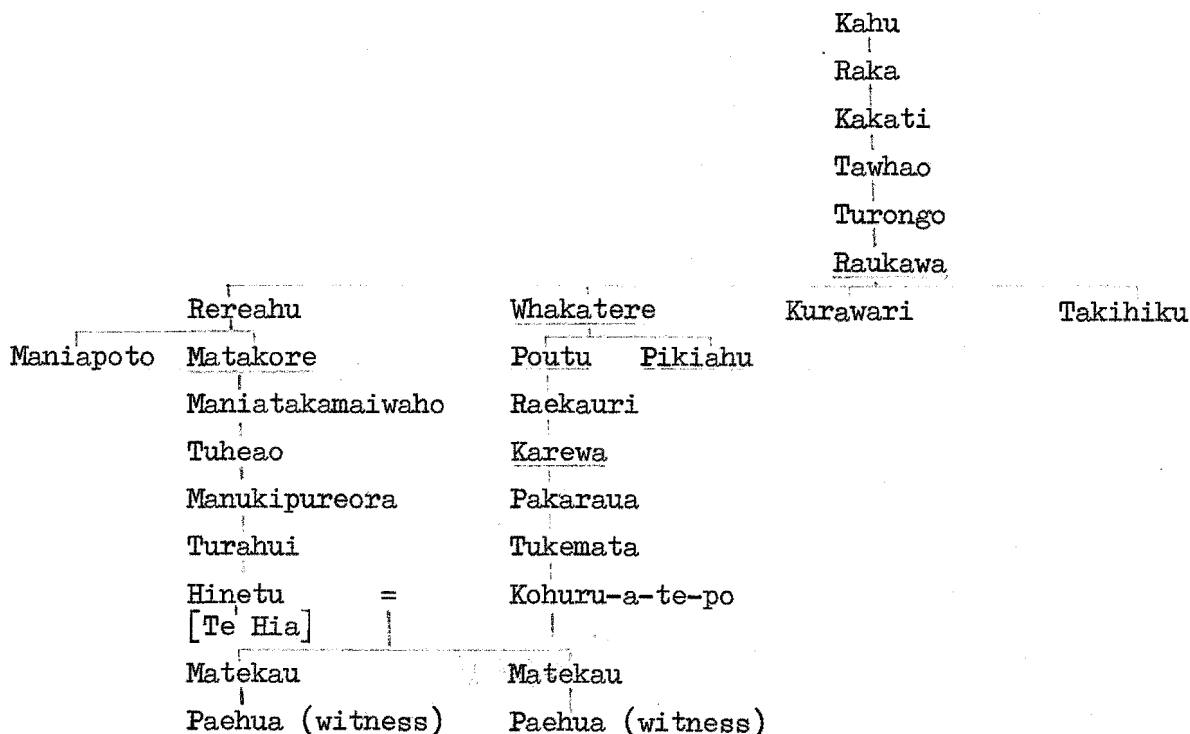
18. Evidence of Te Heuheu Tukino, 25 March 1886. MLC, Taupo Minute Bk. 5, (Tauponuiatia), Maraeroa Block, whakapapa attached to p.72. (Note that Pango was in fact the father of Hungahunga).

19. At one point during his cross-examination, Te Heuheu said that Hinekekehu came onto the land through her marriage with Poutu, but on the question being repeated he corrected himself, giving the above version. Te Heuheu, MLC, Maraeroa, p.77.

their right from Hinekekehu - and the mana of Tuwharetoa, of Tia and Kurapoto lay over the land.²⁰

But Ngati Matakore explained the settlement of Maraeroa rather differently. Karewa, they urged - and they supplied a whakapapa to illustrate the point - had arrived there in the course of a Tainui expansion south-eastwards from Kawhia.²¹

Table 9: Showing the lines through which descendants of Raukawa claimed Maraeroa, and an example of the sort of intermarriage which united the claims of Ngati Matakore with those of Ngati Karewa.



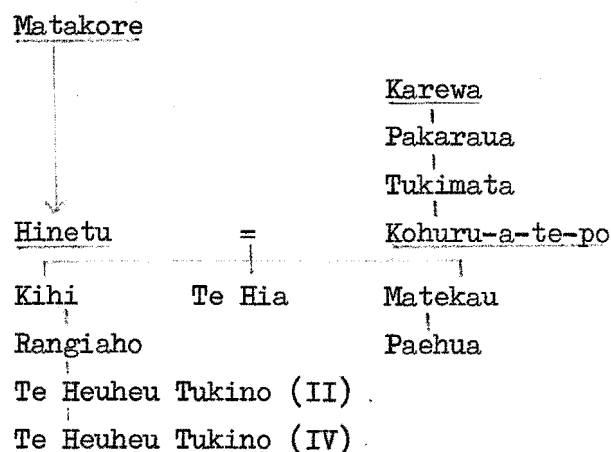
20. Tia and Kurapoto, the ancestors to whom Ngati Tuwharetoa referred for the origin of their rights in the Taupo district; both came in the Arawa canoe. See Grace, Tuwharetoa, p. 29. Te Heuheu mentioned them to reinforce his assertion that the land descended through Tuwharetoa, and not through Raukawa, whose forbears came in Tainui.

21. Evidence of Te Paehua, MLC, Maraeroa, p.61. Te Hia was in fact a sibling of Matekau.

Raukawa's children and grandchildren had all pushed their way into the region, and the land was eventually apportioned among those who stayed there. Poutu and Pikiahu inherited the lands of Whakatere; Matakore received Maniapoto's share as well as his own, because Maniapoto subsequently went away. Matakore was the first to live permanently on the land, and his cousin Karewa was the first to cross the ridge of Hauhungaroa and to take his people to settle beyond Pureora. As the descendants of both lines multiplied they inter-married, amalgamating and strengthening their claims. They remained under Matakore's mana, part of a larger Ngati Raukawa presence in the area.²²

It was not enough therefore for Te Heuheu - himself the offspring of such a marriage - simply to recognise Ngati Matakore claims. He must acknowledge Matakore's mana over the land, because his own claim descended from Matakore:²³

Table 10:



The marriage which affected his title was not that of Ratu, but that of Hinetu to Kohuru-a-te-po, which united his claims from Matakore with those he derived from Karewa. He could not pretend that the whakapapa was

22. Te Paehua, ibid., p.61-63; Te Rauroha Te Ngare, ibid., pp.67-71.

23. Te Paehua, ibid., p.61.

irrelevant to Maraeroa, because he had to call on it to prove his title by occupation. Did he not confess that the fires of his invented hapu Ngati Karewa were kept burning by Te Paehua Matekau; was not Te Paehua his representative on the land?²⁴ And was not Te Paehua's title identical with his own? Yet Te Paehua's ancestors were Raukawa and Matakore, Poutu and Karewa; he refused to admit Tuwharetoa's mana over the land and its inhabitants, for Karewa owed Tuwharetoa no rights. Or if he did, said one elder, 'his Karewa is a different Karewa to Te Paehuas - Te Paehuas Karewa comes from Raukawa ...'²⁵

Unfortunately for the Taupo chief, it was not long before an opportunity arose for Ngati Raukawa to take their revenge.²⁶ Only a couple of years later, Te Heuheu was struggling for recognition of his claims to the northwest of Maraeroa in the Rohepotae and Ngati Raukawa were waiting for him in a mood which was less than charitable.²⁷ Here Raukawa's mana was unchallenged, and Te Heuheu was now to be found reciting a whakapapa which showed his descent from Raukawa through more than ten lines.²⁸ See Table 11.

24. Te Heuheu, ibid., p.75.

25. Te Rauroha Te Ngare, ibid., p.68.

26. In these circumstances, the Ngati Raukawa case against Te Heuheu may to some extent be considered contrived; but perhaps it was not more so than any other which might be put up - in or out of Court - against relatives with whom one had fallen out. The weapons were always there, when one needed them.

27. The case involved the preparation of lists of owners in the Rohepotae generally. Tureiti Te Heuheu and his sisters had been admitted in November 1886 in the Ngati Raukawa list, though they had been obliged - in the wake of Maraeroa - to withdraw Horonuku (Te Heuheu)'s name. But afterwards Ngati Raukawa struck their names off the list, and in 1888 Te Heuheu had to apply to have them reinserted.

28. Evidence of Te Heuheu Tukino, 1 May 1888. MLC, Otorohanga Bk. 3, (Rohepotae), Te Heuheu's application, whakapapa attached to p.174. Note that Te Heuheu IV (Horonuku) was the son of Te Heuheu II (Mananui); Te Heuheu III was Iwikau, Mananui's brother.

TABLE 11:

| | | | | | | | | | |
|-----------------------|----------------------------|--------------------|------------------|--------------------|----------------|--------------------|---------------------|-------------------|------------------|
| Raukawa | | | | Whakatere | Takihiku | | | | Pipito |
| Rereahu | | | | | | | | | Tamate whana |
| Maniapoto | | | | Matakore | Upokoiti | | | | Maihi |
| Te Kawairirangi | | Tutakamoana | Maniatakamaiwaho | Poutu | Tamatehura | Wairangi | | | Te Ruwai |
| Rungaterangi | Marungaehē | Tuhua | Tuheao | Raekauri | Huitao | Paratakaihae | | | Waihurihia ✓ |
| Uruhina | Manukipureora | Hikataupo | Manukipureora | Karewa | Hae | Kapu | Ngahianga | | Rangitaua |
| Te Kawa II | Turahui | Te Rangihiroa | Turahui | Pakararauhe | Ngatokowaru | Huia | Te Kiko-o-te Rangi | | Kohuru-a-te-po |
| Te Kanawa | Hinetu | Rurupuku | Hinetu | Tukemata | Waihurihia ✓ | Hinewai | Puraho | | Kihi |
| Wairakei | Kihi | Rangimarama | Kihi | Kohuru-a-te-po | Rangitana | Rua | Tuwhera | | Rangiaho |
| Rangimarama | Rangiaho | Pipiri-o-te-Rangi | Rangiaho | Kihi | Kohuru-a-te-po | Turaki | Moeroro | | Te Heuheu Tukino |
| Pipiri-o-te-Rangi | Te Heuheu Tukino II (dead) | Te Mare-o-Whaitiri | Te Heuheu T. | Te Heuheu T. | Kihi | Te Mare-o-Whaitiri | Tuwhera II | Nikau | Te Heuheu Tukino |
| Te Mare-o-Whaitiri | Te Heuheu Tukino (IV) | Te Heuheu Tukino | Te Heuheu T. | Te Heuheu T. | Rangiaho | Te Heuheu | Pakira | Te Rangikaiwhiria | Te Heuheu Tukino |
| Te Heuheu Tukino (IV) | children | children | children | children | Te Heuheu | children | Ngakuru (dead) | Te Tomo | Te Heuheu Tukino |
| Takarea | Te Kahui | Tureiti | Te Rohukuini | Te Mare-o-Whaitiri | children | | Ngakuru & ors [sic] | | children |
| | | [grandchildren] | | | | | | | |
| | | | | | | | Te Rereahu | | |
| | | | | | | | Te Kaewa | | |

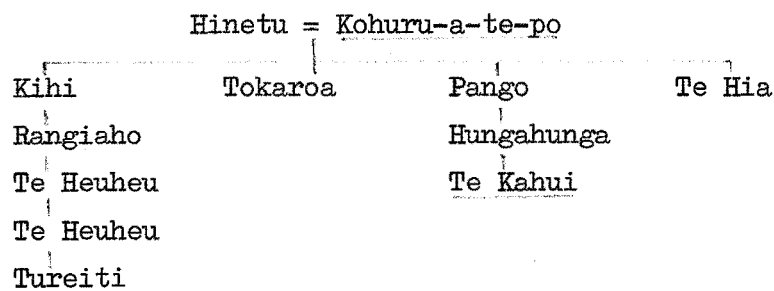
After this initial show of consanguineous strength, however, Te Heuheu modestly retreated to only two of the lines he had given. He had demonstrated his general relationship with the people; now he must show why he claimed relationship with the land. For this purpose he set up three ancestors: Whakatere, Takihiku, and Waihurihia.²⁹ These were the ancestors, he stated, whose land he and his family had occupied, from time to time, through three generations.

But they were also the ancestors from whom he could derive his claim through Kohuru-a-te-po, and this he was obliged to do for political reasons. As a claimant who was not permanently resident on the land he depended for recognition on the goodwill of those who were. Having forfeited this goodwill on his own account, his chief concern now was that his children - and their children after them - should not lose their inherited rights. To this end he prepared a claim which he hoped would appeal to the aroha of his relatives - to the aroha in particular of Te Kahui - the wife of Hauauru, the chief who stood to be Te Heuheu's strongest opponent. Tureiti had lived with Te Kahui as her mokopuna, and he and his sister Te Kahui had a special relationship with the old lady which Te Heuheu hoped he could exploit. 'My claim and that of Te Kahui to this land are the same' Tureiti suggested. 'It is through Kohuru-a-te-po that we have relationship with the people and claim to the land.'³⁰

29. Te Heuheu Tukino, MLC, (Rohepotae), p.178.

30. Tureiti Te Heuheu, ibid., p.202.

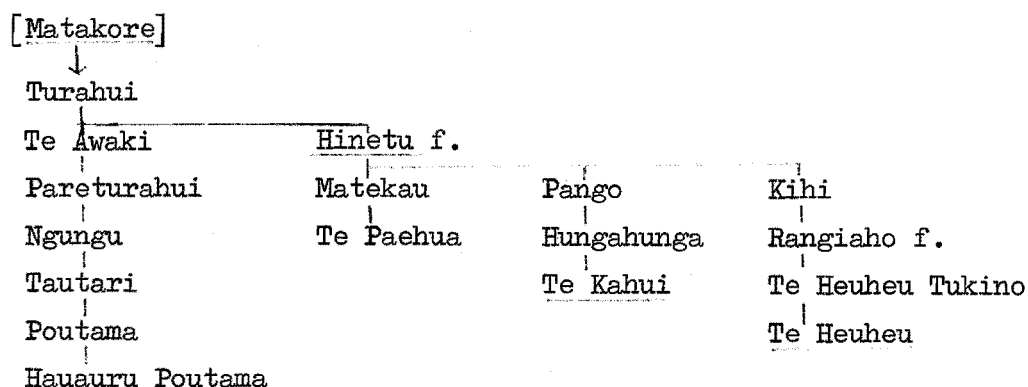
Table 12: Showing the descent of Tureiti and Te Kahui from Kohuru-a-te-po.



There were other reasons, too, why Te Heuheu should have singled out his two lines of descent. In happier times he might equally well have relied on the lines which descended through Hinetu, wife of Kohuru-a-te-po. But both these lines involved Manukipureora and Turahui, who derived their mana from Matakore, and Te Heuheu had so grievously offended Ngati Matakore over the Maraeroa land that it would have required no ordinary gall to cite the mana of Matakore in his current claims.

Ngati Matakore themselves, however, were eager to supply the omission. There was indeed a relationship with Te Kahui, they agreed, and it arose from Matakore and Hinetu:³¹

Table 13:



31. Hauauru, ibid., p.244.

But in the generation after Hinetu, Te Heuheu's ancestors had left the land and gone away, and had not returned. Kihi had departed to live with her husband's people; her daughter Rangiaho had married a man of Tuwharetoa and stayed at Taupo.³² And everybody knew what had caused this division among the descendants of Matakore. Had not Pango, Kihi's younger brother, been killed by Ngati Tuwharetoa?

The quarrel had broken out when a party of Ngati Tuwharetoa passing through Paparata, took some food from Ngati Karewa. Incensed, Ngati Karewa turned on the pilferers, and in the resulting fracas men were killed on both sides - Pango among them. The Ngati Tuwharetoa beat a smart retreat for home, hotly pursued by a party of Ngati Karewa and Ngati Matakore, who besieged and took the Ngati Tuwharetoa pa called Waingaire. Seeing the pa in flames from the other side of the lake, Te Heuheu and his people took to their canoes in pursuit of the intruders, and caught up with them at Rarapo, an abandoned pa where the Ngati Matakore and their allies had halted to make a stand. '[p]itch [hurihia] N[gati] Matakore & those inside the pa over the precipice ...' shouted Te Heuheu to his taua; but though they assaulted the pa for a day and a night they could not take it, and the attempt was abandoned. Te Heuheu's exhortation, if not attended to by his warriors, was certainly not lost upon his Ngati Matakore audience. They went home and recorded it in the name of the daughter of their chief Wahanui.³³ Fifty years or so later Hurihia Irihapeti sat in the Court house and looked at Te Heuheu's mokopuna, and a more damaging piece of evidence against his case would have been difficult to find.

32. A snide reference to Te Heuheu I, Herea.

33. Hauauro, ibid., pp.226-228. Grace gives a rather different account of the origins of the dispute, which took place in Herea's time. Tuwharetoa, pp.225-226.

From the time of Pango's death, then, the new hostility between Ngati Matakore and Ngati Tuwharetoa had forced Kihī and her descendants to choose between them. And they had chosen Ngati Tuwharetoa; like their forbears, they had taken the name of a Tuwharetoa ancestor and become part of Ngati Parekawa.³⁴

Table 14: Showing how Te Heuheu's Ngati Takihiku forbears became assimilated into Ngati Tuwharetoa.

| (a) | | (b) |
|------------------------|----------|---------------------------------------|
| Tuwharetoa | | Takihiku |
| ↓ | | ↓ |
| Rakeihopukia | | Wairangi |
| ↓ | | ↓ |
| Taringa | | Hingaia |
| ↓ | | ↓ |
| Tutetawha | | Paratakaihae |
| ↓ | | ↓ |
| Te Rangiita | | Ngahianga = Parekawa of N'Tuwharetoa, |
| ↓ | | Taupo |
| Parekawa | | ↓ |
| ↓ | called | Kikoreka (remained at Taupo) |
| Kikoreka | Ngati | ↓ |
| ↓ | Parekawa | Puraho ditto |
| Puraho | | ↓ |
| ↓ | | Tuwhera ditto |
| Tuwhera | | ↓ |
| ↓ | | Moeroro = Kihī (Kihī belonged to |
| Moeroro | | N'Poto, remained at Taupo) |
| ↓ | | ↓ |
| Rangiaho = Te Heuheu I | | Rangiaho = Te Heuheu Tukino |

Thus Te Heuheu's claim through Takihiku would not stand up, because his descendants since the marriage of Parekawa and Ngahianga had become a distinct group - distinct even by their speech - living apart from others of Ngati Raukawa.³⁵

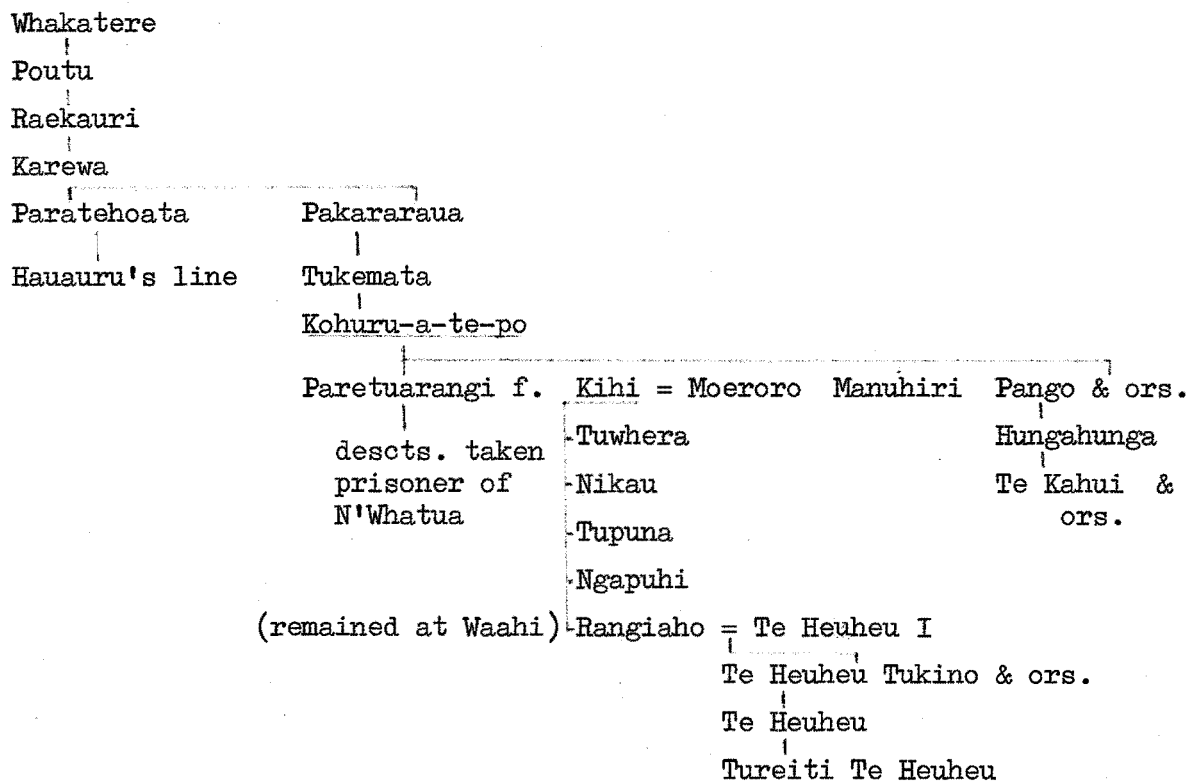
It becomes clear, then, why Te Heuheu evaded the line through Wairangi, and clung instead to that which descended through Waihurihia. Further, he hoped that by distinguishing Kohuru-a-te-po as the matua (parent) of all the

34. Whakapapa (b) was given by Hauauru, MLC, (Rohepotae), attached to p.234. Parekawa was the daughter of the ariki Te Rangiita of Ngati Tuwharetoa. Ngati Parekawa were a hapu of Ngati Te Rangiita, who lived on the western shores of Lake Taupo.

35. Until the Bible came into general use, it was said, they were readily distinguished by their pronunciation of matou as matau. Hauauru, ibid., p.244.

younger generation of occupants, he might be able to evade the implications of the embarrassing circumstances of Pango's death. But Ngati Matakore were determined to thwart such a strategy. The whole point, said Hauauru, was that Kihi and her descendants had chosen a different destiny from that of Kohuru's other children - and Te Kahui was not a descendant of Kihi.³⁶

Table 15:



Paretuarangi's descendants were captured by Ngati Whatua and lost their mana; Kihi left to live on her husband's land, where all her children were born and remained. Both of them lost their right to the land of Kohuru. The much-vaunted occupation of Kihi's descendants, in short, consisted merely in visits to their relatives.

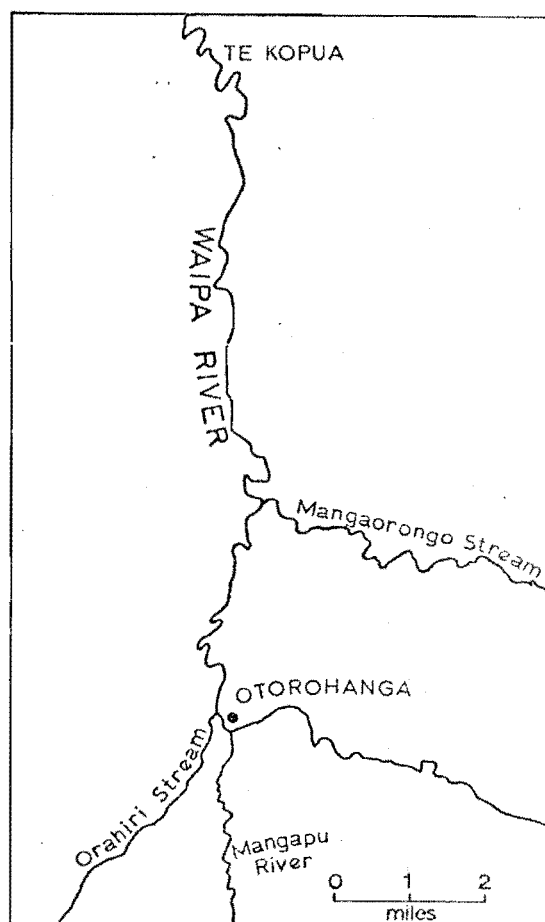
36. Hauauru, ibid., pp.243-244. The whakapapa was given by Te Paehua Matekau, ibid., attached to p.216.

Take Tupuna and Power to Hold

At a later Rohepotae hearing a hapu of Ngati Maniapoto named Ngati Rangatahi - descendants of Te Wharaunga - set out to prove their title to land at Otorohanga by virtue of ancestry and power to hold. They told a story of their expulsion of competitors, and gaining control of resources in the district.

Two chiefs of Ngati Rangatahi, Takioinoa and Te Wharaunga, disputed the ownership of a kumara plantation called Hautetuiri.³⁷ Takioinoa and his people were worsted, and driven off to Wharetotara, a bush-covered flat near Otorohanga. Meanwhile a new threat came from a Ngati Te Kanawa party, which tried to take possession of Te Wharaunga's eel-weir in the Mangapu stream. Though they destroyed the weir, one of their leaders, Turingenge, was seized by Te Wharaunga and ducked in the stream; the Ngati

Map 4. Otorohanga district.



37. Said to be on the east side of the Waipa River, near the Otorohanga Court house.

Te Kanawa were sent packing and never returned.³⁸ But Takioinoa still had to be dealt with. Refusing to relinquish their claim on the land, he and his people began to clear the bush at Wharetotara for cultivations. Te Wharaunga's people went to challenge their right to the flat and, clearing the bush themselves, asserted their own. The two parties met at a kawa tree, and kept on with their work: Te Wharaunga chopped at one side, Takioinoa at the other. The tree fell towards Takioinoa and Te Wharaunga, the more skilful worker, pushed his claim forwards onto Takioinoa's portion. Takioinoa, admitting defeat, left the clearing in the possession of his opponent.

Realising that her people would lose their land if they could not contain the aggressive Te Wharaunga, Takioinoa's sister Paretuiri tried to rouse him to action. One day she was cooking some watercress, of the kind called kowhitiwhiti (Rorippa islandica) and, as Takioinoa stretched out his hand to take some she seized her chance. Pushing his hand away, she said 'you are strong enough to come for a feed but you are not strong enough to grow food for yourself, your companion has tak[en] the clearing from you.'³⁹ Paretuiri's admission of defeat, so significant for Te Wharaunga and his descendants, was recorded in local nomenclature, and Wharetotara was afterwards called Waikowhitiwhiti, for the water in which the vegetable denied to Takioinoa was cooked.⁴⁰

For the moment, however, Takioinoa was not quite done for. He did leave Waikowhitiwhiti and went to live at Mangaorongo; but he was deeply

38. Turingenge was the brother of Te Whatakaraka, whom Te Makawe married. See p. 94 below.

39. Evidence of Te Kanawa Tangitehau, 11 July 1888. MLC, Otorohanga Bk. 4, (Rohepotae), Otorohanga Block, p.128.

40. It is not quite clear whether the land took its name from the water actually used for the cooking, or from the swamp from which the water for cooking the watercress was taken.

ashamed by his sister's reproaches, and determined to raise a war-party against Te Wharaunga. Ngati Raukawa, Whanganui and some of Ngati Rangatahi agreed to help him, and he returned with his taua to defend some land for himself - in a very determined frame of mind. As the taua approached, a Ngati Maniapoto chief named Taitoko - grandson of Maniaurua - led a party out to present kumara to them. Evidently his elders, hoping to avoid a fight sent the food out as a sign to Takioinoa that they wished to effect a peaceful settlement of the dispute. Takioinoa's retort was swift and ungracious: Taitoko was killed. Kohuru (treacherous killing) was bad enough in Maori eyes at any time; to fell one's own relative in such a way was much worse. Ngati Maniapoto cast aside all thoughts of conciliation and formed their own taua, led by Te Wharaunga, Te Iwituaroa, Rangituataka, Pungawheke and others. At the battle of Taraingahere Takioinoa was killed by Te Wharaunga, and his people fled the land and never returned. Eventually they travelled south to Whanganui, where their descendants remained, bearing the name of the ancestor Rangatahi.⁴¹

At this point, it might be thought, Te Wharaunga's descendants had successfully proved their case. But their opponents in Court were prepared to contest the story on a number of grounds. In the first place, it was charged, Te Wharaunga's people - by killing their own relatives - laid themselves open to the charge of having in fact destroyed the basis of their title. How could they claim as Ngati Rangatahi, when they had killed Ngati Rangatahi in the process?⁴² The whakapapa shows the relationship

41. Te Kanawa Tangitehau, MLC, Otorohanga Block, pp.127-130. Opponents of the case of Te Wharaunga's descendants insisted that these refugees were the only people still known as Ngati Rangatahi, that no Ngati Maniapoto hapu was known by that name, and that it was wrong of Te Kanawa's party to try to resurrect a claim to Ngati Maniapoto land through Rangatahi.

42. See, for instance, the evidence of Patupatu Keepa, ibid., pp.225-226; W. Te Naunau, ibid., p.339.

between the two contending Ngati Rangatahi chiefs:⁴³

Table 16:

| | |
|-------------------------|--------------------------|
| Maniapoto | |
| Tutakamoana | |
| Rangatahi = Maniauruahu | |
| Urunumia = Te Kawa | Tukawekai |
| Te Kanawa | One |
| Tutunui | Te Rangikaiwhiria |
| Te Wharaunga | Takioinoa Paretuiri |

Ngati Rangatahi, clearly, found this an embarrassing allegation, for they were careful to stress that it was Taitoko's death which had caused the fighting. According to their version, Taitoko's companions fled for help to Te Wharaunga, who vowed at once to take vengeance: 'farewell, farewell, you were killed yesterday evening, I take revenge to-morrow morning'.⁴⁴ Te Wharaunga, then, was merely the leader of a general Ngati Maniapoto taua against invaders who were bent on mischief.

But not all his neighbours had been able to take such a highminded view of Te Wharaunga's activities. Ngati Rungaterangi and Ngati Hinewai - who also contested the claims of his descendants - charged that Te Wharaunga was a mere adventurer, who had come into the land only because of the respective marriages of his mother Te Ipurape and his sister Te Makawe.⁴⁵ His mother Ipurape had married Tutunui, and his sister Makawe had married Te Whatakaraka, and Te Wharaunga had presumed on these connections to try to establish himself in the district.⁴⁶

43. Part of whakapapa given by Te Kanawa Tangitehau, ibid., attached to p.124. The Maniauruahu mentioned was the son of Tukemata and Tumarouru, and was not the same Maniauruahu who was Taitoko's grandfather.

44. Te Kanawa Tangitehau, ibid., p.129.

45. Te Ipurape was not Te Wharaunga's mother, but rather the mother of his half-sister Te Makawe. See whakapapa, p.96, Table 17 below. Perhaps this was a loose reference, or perhaps Te Ipurape brought up Te Wharaunga.

46. Wahanui, ibid., p.252; H. Haereiti, ibid., p.390.

He made his first attempt at a place called Te Papara where karaka trees grew, sticking a feather into the ground and announcing that he had taken possession of them. But the Ngati Rungaterangi chief Maniauruahu pulled his feather up and threw it away; and he followed Te Wharaunga as he tried to claim various eel weirs, and each time threw away his feather. Not till Te Wharaunga came to an eel weir belonging to Takioinoa was he successful, and after that he went to clear the cultivation at Haututuiiri.⁴⁷ Determined as he was to seize the resources of the (then) Ngati Rangatahi, it was he who - by his provocation of Takioinoa - caused the death of the Ngati Rungaterangi chief Taitoko. And if he did avenge Taitoko, it was only incidental to his own purpose of ousting Takioinoa.

A further group of claimants - Ngati Hinekino - insisted that Te Wharaunga was indebted for his claims less to his father Tutunui than to his stepmother Te Ipurape, a descendant of Puha. Rangatahi therefore had nothing to do with the land. Their own ancestor Te Makawe had inherited Te Ipurape's mana - which Te Wharaunga shared only by virtue of their mutual father.⁴⁸ The whakapapa showed too that Puha was descended from Hia, the

47. H. Haereiti, ibid., p.381. The whakapapa shows Maniauruahu's descent from Rungaterangi:

```

Maniapoto
  |
Te Kawa
  |
Rungaterangi
  |
Maniaopetini
  |
Taitengahue = Kaputuhi
  |
Maniauruahu = Oneone
  |
Tukehu = Waikohuru (1st wife)
  |
Te Kawa II   Parepapa   Taitoko

```

H. Haereiti, ibid., attached to p.372.

48. Wahanui, ibid., p.252; Patupatu Keepa, ibid., p.220.

child of Raka.⁴⁹

Table 17: The Ngati Hinekino version of the origins of Te Wharaunga's claims to Otorohanga.

| | |
|----------------------------------|---|
| Hia-hapai-mauri = Wairuruturangi | |
| Rua | |
| Kemo | |
| Punganangana | |
| Ruawaeko | |
| Waehaere | |
| Ruanui | |
| Ruatepupuke | |
| Kapakiterangi | |
| Kapatemarama | |
| Mimiti | Ruahinepaewae |
| Te Ahurangi | Harua Harara Tirohanga = Te Wharautahi |
| Te Wharautahi | Te Koremarire |
| Puha = Parerau | Koreroawhare Parerau = Puha |
| Te Mangakauri | Taihakurei Toea Te Mangakauri |
| Pakurarangi = Maniapoto | Rauakitua = Whakikauia |
| | Te Ipurape = Tutunui = Parekaihine (2nd wife) |
| | Te Makawe Te Wharaunga |

And if Hia's descendants had now disappeared as a distinct group, it was simply because they had intermarried with Maniapoto's descendants. Puha's granddaughter Pakurarangi had become the fourth wife of Maniapoto, and their daughter was Hinekino.⁵⁰

49. Patupatu Keepa, ibid., attached to p.220.

50. Wahanui, ibid., p.253. Whakapapa given by Patupatu Keepa, ibid., attached to p.220. Few other people, unfortunately for Ngati Hinekino, were willing to admit to the existence of Pakurarangi, and it was generally agreed that Maniapoto had only three wives.

Table 18:

| | |
|---------------------------|--------------|
| Rereahu | |
| Maniapoto = Paku[ra]rangi | |
| Hinekino f. | |
| Toreanu | |
| Tunahore = Matatini | |
| Te Manumaharanui | Te Iwituaroa |

It was, moreover, Te Iwituaroa of Ngati Hinekino - not Te Wharaunga - who had taken the initiative in exacting revenge for Taitoko. Te Iwituaroa had already been admitted by Ngati Rangatahi as a fighting companion of Te Wharaunga. Indeed, he featured in their account as having sung a song - before Takioinoa arrived with his taua - foretelling the destruction of Ngati Rangatahi by Takioinoa. But at the time Te Wharaunga had silenced Te Iwituaroa who - angry that his sensible advice to take up arms was being ignored - left the planting of Haututuiiri.⁵¹ As Ngati Hinekino finished the tale, Te Iwituaroa was the first to hear of Taitoko's death. Taiaha in hand, he came to challenge Te Wharaunga to avenge it, chanting a tauparapara (challenge) as he approached. Te Wharaunga hesitated, suggesting that they should wait till Ngati Maniapoto could be informed. But Te Iwituaroa refused to wait, and the chiefs left with only those of their neighbours who could be quickly assembled.⁵² In short, Ngati Hinekino concluded, whether one viewed Te Wharaunga's exercise of 'power to hold' the land as defensive or as vengeful fighting, he had failed to take the initiative. Te Iwituaroa had acted more decisively and more quickly, more as befitted the guardian of the land - and descendant of Hinekino and Puha.

Ngati Rangatahi were in fact quite willing to admit their descent from Puha. They pointed out, however, that Puha had 'exercised his mana' on the

51. Te Kanawa Tangitehau, ibid., p.152. Ngati Rangatahi told the story to emphasise the fact that it was Taitoko's death which had forced Te Wharaunga to fight Takioinoa.

52. Patupatu Keepa, ibid., p.225.

land only because of his connection with Maniapoto. For Hia's descendants had been defeated, first by Tanetir[o]rau - a descendant of Hoturoa - so that they fled eastwards to Waipa; and again by Tamaio, whose mana descended later to Te Ithingarangi:⁵³

Table 19: The Ngati Rangatahi view of how Maniapoto finally extinguished the mana of Te Ithingarangi at Otorohanga.

```

Tamaio = Hinewai (or Hinemata)
  |
Rangianewa = Rereahu
  |
Te Ithingarangi
  |
Onehaeroa
  |
Hinewhatihua = One (1st husband) = Maniapoto (2nd husband)
  |                               |
Paparauwhare = Maniapoto         Tutakamoana
                                   |
                                   Rangatahi

```

Note. Maniapoto married both
Hinewhatihua and her daughter
Paparauwhare

But Ithingarangi and his younger brother Maniapoto (by a different mother) quarrelled bitterly over the mana of their father Rereahu. In the battle which followed Puha's ancestor Te Ithingarangi was defeated, and he left the land for Maniapoto and went away to the Waikato. Some of his people migrated to Whanganui; some few remained in the district - among them Hinewhatihua, whom Maniapoto married, and Puha, whom he had allowed to stay.⁵⁴

As for Te Makawe, she had in any case been turned out of the district by her half-brother Te Wharaunga, and the occupation of her people ceased from that time. Te Makawe had married against the wishes of her people; Te Wharaunga first beat her, and then gave in, telling her 'to clear out & go & live with her husband [Te Whatakaraka] & the latter would have to

53. Whakapapa given by Te Kanawa Tangitehau, ibid., attached to p.124.

54. See evidence of Te Kanawa Tangitehau, ibid., pp.123, 141-142, 157-158, and of Hari Matetoto, pp.266-267.

find land for her ...⁵⁵ In short, Te Makawe won her man at the cost of her land. She was disinherited of her rights of usage, and she accepted the fact: her descendants remained away during the four succeeding generations, and only returned previous to the sitting of the Court.⁵⁶

Take Raupatu

It is clear from the above examples that even when arguing a case by ancestral occupation men preferred to remind their opponents, if they could, that their own links with the district went back well beyond their colonising forbears. So it is not surprising to find claimants who adduced the new-fangled take by conquest, anxious to give their occupation some sort of historical respectability. Occupation over a mere couple of generations, it seems, simply failed to appeal to them as a convincing title.

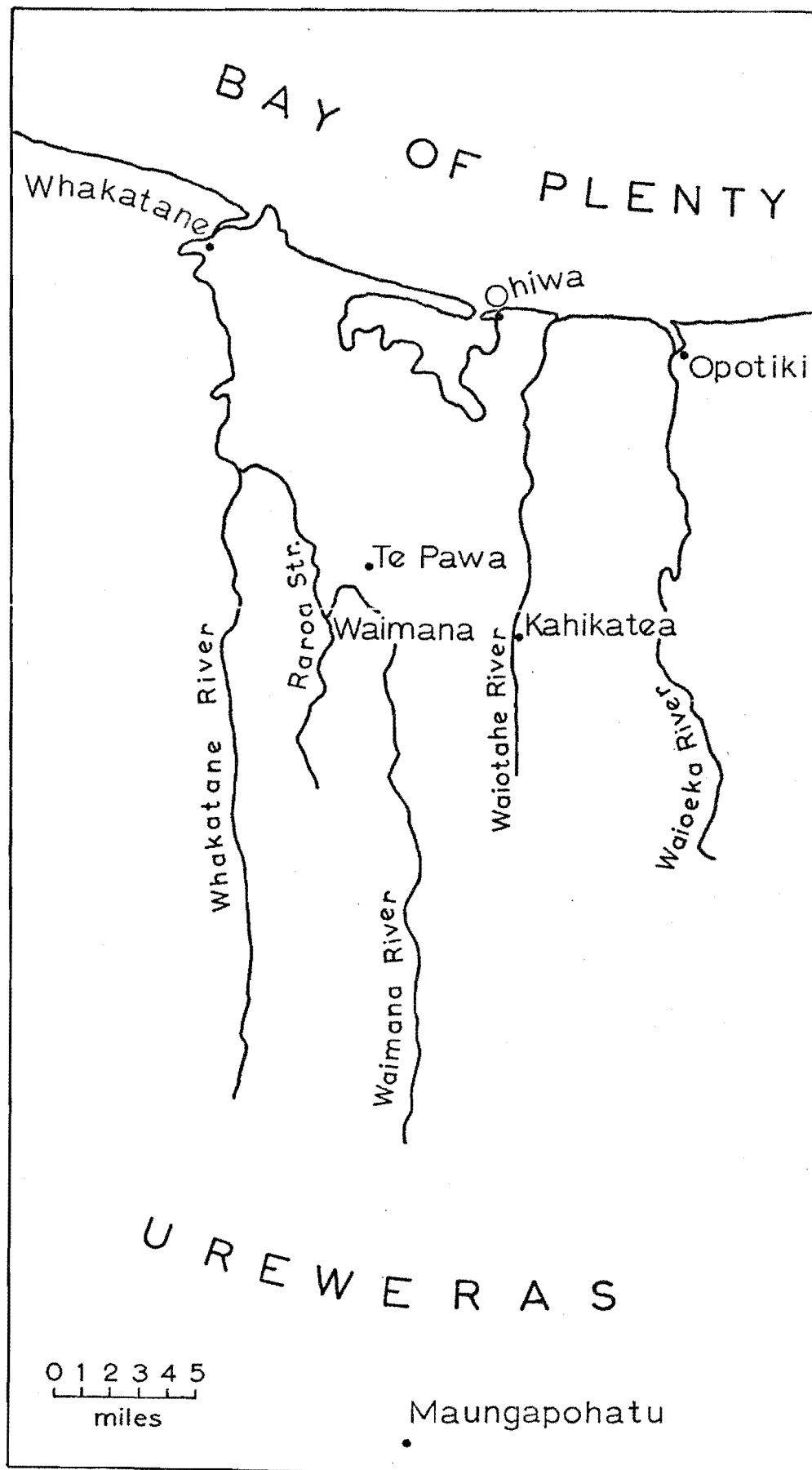
Tuhoe, for instance, claimed the Waimana district near Whakatane - which they had occupied early in the nineteenth century - by conquest of the Upokorehe. But when they opened their case in the Opotiki Land Court, they told the story of Manuauaure, a Ngati Awa chief who - many generations before - had wished to seize the lands of the Raumoa.⁵⁷ Manuauaure secured the alliance of Te Awatope of Tuhoe, and the two chiefs went to plant hue seed on Raumoa's land on the Parau River. 'This was to be done as an assertion of right to the land'.⁵⁸ Tawhakarewa, the chief of Ngati

55. Te Kanawa Tangitehau, ibid., p.132.

56. Te Kanawa Tangitehau, ibid.

57. There are different spellings of Manuauaure's name; I have followed Best. Raumoa was the original ancestor of Waimana; Ngati Raumoa were descended from Rongowhakaata and from Te Hapuoneone tribe, and were not Tuhoe. (Best, Tuhoe, p.88.) Te Upokorehe lived in the Waiotaha valley, and were descended partly from Raumoa and partly from Haeora. Witnesses in the case tended to refer to people of these tribes by either name indiscriminately. There had been much intermarriage between them, and with Te Whakatohea.

58. Evidence of Mohi Tai, 10 March 1880. MLC, Opotiki Bk. 1, Waimana Block (Rehearing), p.320.



Map 5.

Waimana district.

Raumoa, naturally took offence at this presumption and, finding Manuauaure still at work, killed him. Te Awatope, who had been more speedy at his work, escaped. A whakatauki (proverb) recorded the incident for posterity, so that its facts were indisputable: Awatope te manu whititua; koukou te Manu[auaure] (Awatope is the bird that escapes; the owl is Manuauaure).⁵⁹ The corpse of Manuauaure was carried away and placed in Tawhakarewa's famous pataka (foodstore), Waimanakaku, which later gave its name to the district.⁶⁰

After Manuauaure's death, of course, came the taua toto. One account has Te Awatope leading three or four hundred warriors against Ngati Raumoa.⁶¹ Another credits Tuhukia of Ngati Turanga (Tuhoe) with taking uto. Tuhukia, it was said, came down to Orupe pa, shouting for Tuwhakarewa. When his people said he had gone to Ohiwa, Tuhukia asked for Tamaipaoa and, on being directed to Te Pawa pa went there and killed him, and brought his head back to [Orupe]. Then, Tuhoe concluded glibly, 'Raumoa abandoned this land, Waimana, - and have never returned to it: Tuhoe have occupied it ever since'.⁶²

There is no doubt that some Tuhoe people did indeed occupy from that time, intermarrying with Upokorehe; but the majority arrived in the wake of a much later taua toto. Te Purewa of Tuhoe, avenging the death of his brother by a party of Whakatohea, took the Whakatohea pa Te Papa on the Waioeka River and crossed to the Waiotahe valley, where the descendants of Raumoa were living. In a battle fought at Te Kahikatea, the Upokorehe suffered heavy losses, and afterwards abandoned the upper valley of the

59. The owl, it was further explained, is the manu 'that sits still till it is caught in the daylight'. Mohi Tai, MLC, Waimana (Rehearing), pp.320-321. A fuller explanation is given in Best, Tuhoe, p.83.

60. Huhana Te Waihapuarangi, MLC, Waimana (Rehearing), p.311. She referred to Waimanakaku as a ruakai.

61. Mohi Tai, ibid., p.321.

62. Te Whiu Takurewa, ibid., pp.302-303. See also Best, Tuhoe, pp.84-85. Te Whiu placed these events in the time of Murakareke, Tuhoe's son.

stream to settlers from both Whakatane and Tuhoe, moving themselves to the coast.⁶³ And this time Tuhoe occupied in strength simply because - like many another inland people - they wanted to be nearer the coastal trade. Some Upokorehe remained on the land - in scattered pockets, or intermarrying with Tuhoe. But as a people, they ceased to inhabit Waimana. Tuhoe had achieved their raupatu.⁶⁴

The Upokorehe account of Tuhoe's arrival in the district can only be described as implausible; but it is typical of the ingenuity of claimants who preferred not to admit to - or to pass on to their descendants - unpalatable episodes in their history. Tuhoe they said, had come to Waimana only at their invitation, and only because they were anxious to trade with a pakeha who had set up in business at Ohiwa. From Waimana, they pointed out, the journey to Ohiwa and back could be made in a day. Sympathetic to this reasonable request, Ngati Raumoa invited the chief Maungaharuru to live at Waimana, so he could trade his pigs and potatoes for the pakeha's powder.⁶⁵ After some misgivings, lest he be killed in revenge for a Ngati Raumoa man who had met his death among the Urewera, Maungaharuru decided to take the risk, and brought his Tuhoe down to Waimana. How, asked Upokorehe woundedly, could they have foreseen that he would take advantage of their friendship to seek to establish a claim to their land?⁶⁶ To which it could only be replied that a strong tribe - far from inviting their rivals to share their pakeha and his powder - would have

63. Ibid., pp.400-403. Best states that the battle must have taken place in the early part of the century, before 1818.

64. Had it not been for the trading opportunities on the coast, of course, it is possible that Tuhoe would not have bothered to occupy Waimana - as they had not bothered in Murakareke's time. Nor, perhaps, would Upokorehe have migrated with such alacrity.

65. This was at the same time that Tapsell was at Maketu - in the early 1830s.

66. Mohi Tai, MLC, Waimana Rehearing, pp.322-323.

been extremely reluctant to let them sell a single pig. If Tuhoe descended on Waimana and took over the Ohiwa trader, it was because the Upokorehe were unable to prevent them from doing so.

Take Tuku

The formal gifting of land, finally, was a late development which awaited the emergence of new attitudes towards land as a conveyable commodity.⁶⁷ Ngati Kinohaku, a hapu of Ngati Maniapoto, claimed that a piece of land near Otorohanga called Tarakiraki had been gifted to them in 1851. The gift was said to have been made by the Ngati Rangatahi chief Tuhoro Anatipa as the result of a fatal accident during the construction of a water mill on the Orahiri stream. The mill had been Tuhoro's idea. He was a widely travelled man, whose mana had been greatly enhanced by his facility in dealing with settler society. He had lived in Sydney, and acquired an unusual fluency in English.⁶⁸ On his return home, he suggested to his people the advantages of a water mill, which would not only provide them all with flour, but would allow them to make a profit from the sale of any surplus. But the mill was too large an undertaking for a single hapu, and the neighbouring Ngati Maniapoto were invited to assist. Ngati Hinewai, Ngati Rungaterangi, Ngati Uekaha, Ngati Kinohaku, Ngati Rereahu and Ngati Rora all agreed to help, and the general management of proceedings was entrusted to Tuhoro.⁶⁹

67. Such gifts may be distinguished from earlier arrangements by which, for instance, certain resources were assigned to the use of the chief's daughter, her husband and their descendants. In Court hearings such allocations might also be dignified as 'gifts'.

68. Evidence of Arapiu Whakataha, 20 August 1888. MLC, Otorohanga Bk. 4, (Rohepotae), Otorohanga Block, p.293.

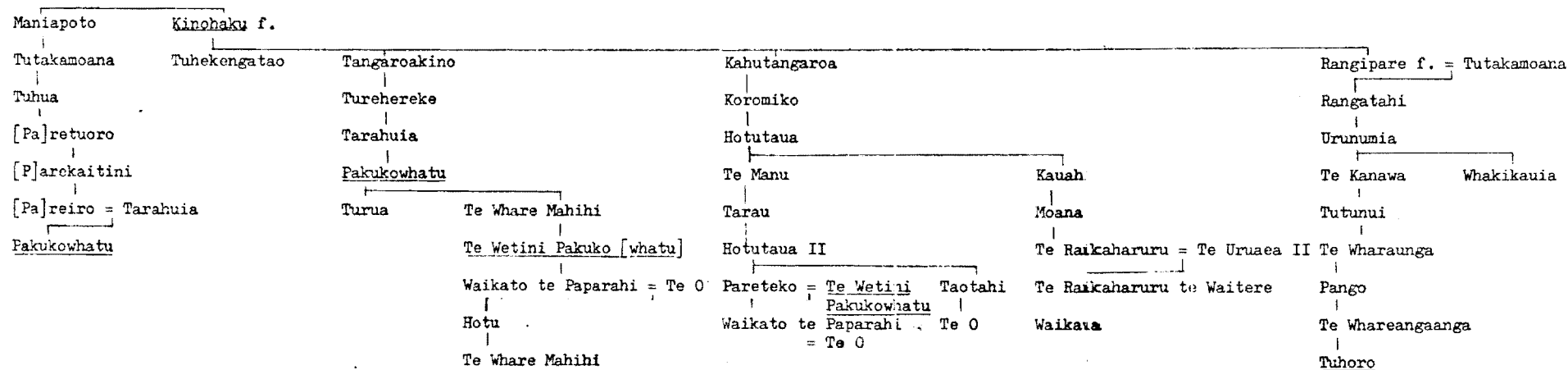
69. Arapiu Whakataha, MLC, Otorohanga Block, p.286.

On Tuhoro's advice, the people set about raising money for the mill by scraping flax, to sell together with their pigs and wheat. In 1851 the first trading expedition - consisting of twenty canoes - set off for Auckland. And on the way home, after the canoes had left Tuakau, one which was manned by old people fell behind and capsized, and four people of Ngati Kinohaku were drowned: Wiremu Te Ahurewa, who was the son of Te Wetini Pakukowhatu, Wiremu's sister Hera and his child Pekamu, and also a man named Tawhai. Four, though, were saved, who eventually continued on in their canoe and caught the others up at Orahiri. Ngati Maniapoto at once went back to find the bodies, and brought them to a place called Potare, near Te Kopua, where the people were catching pigs. Then Te Wetini Pakukowhatu held a tangi for his boy, and when he had finished Te Raukuratahi stood up and said that Tuhoro was not a proper person to have caused the death of Ngati Maniapoto; Tuhoro belonged to Ngati Pakau.⁷⁰

This derogatory speech, amounting as it did to an attack on Tuhoro's position among Ngati Maniapoto, caused something of a sensation. Ngati Kinohaku, in particular, got very excited that such a criticism should have been levelled at them for supporting a chief on whose account, it was implied, their people had died unnecessarily. Tuhoro, it had been said, was not important enough in the tribe that he should be managing their affairs, that they should all be scraping flax and gathering pigs for his mill. He came, after all, of a teina line of their whakapapa; those who had been drowned were his tuakana:

70. This was possibly a reference to the tribe of Tuhoro's mother. Arapiu Whakataha, ibid., pp.286-287. See also ibid., p.300, and evidence of Te Putu Taike, ibid., p.198.

Table 20. Showing why there were objections to Tuhoro's having caused the death of Te Wetini Pakukowhatu's son.⁷¹



Had they perhaps not elevated him, Te Raukuratahi was asking, to a place among them to which he was not entitled by birth? But it was less a piece of calculated defiance than a reminder to Tuhoro that he needed their support to maintain his position - perhaps that he should not take their services and the death of their people for granted.

Ngati Maniapoto, in any case, buried their tupapaku, went back to work catching pigs, and left it to Tuhoro to reply to Te Raukuratahi's challenge. For challenge it certainly was, and Tuhoro treated it as such. He was still in Auckland when the accident occurred, having stayed behind the others to arrange for some millstones. But he hastened home when he heard of the drownings, and at Te Kopua he was told about the meeting and the remarks which had been made about him. He went on to Kakahoroa, where

71. Part of whakapapa given by Arapiu Whakataha, ibid., attached to p.286. See also evidence of Ngatoko Kupe, ibid., pp.184-185.

Te Raukuratahi had convened another meeting to receive him, and joined with his people in a tangi for their dead. Then he spoke to Te Wetini Pakukowhatu and Ngati Kinohaku, and made his gift to them: "A muri kia mau ki te kawhena" [he said] "to whenua ko Tarakiraki" - meaning in the future hold on to your coffin, the land for you is to be Tarakiraki'.⁷²

Ngati Kinohaku accepted the gift as a true chiefly gesture. It provided them with utu (compensation) for the people they had lost, for the loss of their labour to the tribe, and above all for the insult to which they had been subjected at the first meeting.⁷³ And it cleared Tuhoro besides from the sort of charges which Te Raukuratahi had hinted at: it proved that he was aware of his responsibilities to his people.

Not everyone of course was willing to recognise the force of Tuhoro's utterance. Though it was generally agreed that Tuhoro had in fact used the expression, opponents of the gift did not know the second part, and had their own interpretation of the first. One party thought that he had spoken it on another occasion altogether; another suggested that it referred 'to the coffins of those being drowned'.⁷⁴ The Ngati Taiwa elder Ngatoko Kupe maintained - rather more ingeniously - that Tuhoro was speaking of the mill itself, which remained unfinished for some time. This was, as he said, a portent of misfortune, and Tuhoro meant therefore that this was an ominous state of affairs for Ngati Maniapoto.⁷⁵ There were those, finally, who opposed the gift on the grounds that Tuhoro had no right to make it. Like a warrior chief entrusted in troubled times with the supervision of tribal defences, Tuhoro had been given special powers on a special occasion. He had been put in charge of the mill because of his personal qualifications; but he should not expect as a result, to claim mana over the surrounding land.⁷⁶

72. Arapiu Whakataha, *ibid.*, pp.303-304. See also *ibid.*, pp.287-288.

73. See evidence of Pekamu Hotu, *ibid.*, p.305.

74. Wiari Te Naunau, *ibid.*, p.343.

75. Ngatoko Kupe, *ibid.*, pp.164, 175.

76. See, for instance, evidence of Patupatu Keepa, *ibid.*, pp.227, 231.

CHAPTER 5

THE MAORI AND HIS LAND : THE MAINTENANCE OF A CLAIM

The establishment of a take, it has been seen, was of first consideration. But a take was significant only as the basis for a continuing association with the land through all subsequent generations. The exposition of a take must therefore be accompanied by physical proof of continuous occupation.

Tohu

There were, firstly, one's tohu: the special marks or signs which could be known - or were of significance - only to those whose ancestors had been closely connected with the land. Some were the signs of atua communicating to the living. The lightning over Hihikiwi (Pirongia range), for instance, spoke to the various hapu who were descendants of Raka: when it flashed down the southern side, it was a sign for Ngati Paiariki, warning them of the approaching death of a chief; or playing down the coast side towards Ngairo (between Whaingaroa and Kawhia) it spoke to Ngati Te Ariari and Ngati Kahutaraheke, and to Ngati Te Auru if it flashed over Karewa Island. And lightning directly over the summit of Hihikiwi was a warning to Ngati Puhiaawe and Ngati Horetakere.¹

Most tohu, however, were found on the land itself. Rihari Tauwhare once sent the Court off to examine a pair of tawhero (Weinmania racemosa) roots, 'carved to represent images of Hihi and Toataua, these two people

1. Rihari Tauwhare, MLC, Kopua-Pirongia, p.329.

were twins, the roots are entwined to suggest twins ...', and two other separate roots were carved to represent more recent elders of the land.² Descendants of Punga, Tipi and Tukitaua spoke of Te Apunga [a] Tukitaua - a place where Tukitaua had kneeled down, Tatua o Tu Te Akau, a bend in the Turitea stream which Tu Te Akau named after he left his belt there, and Te Moko o Tipi, a small hill just east of the Moakurarua stream, which took its name from a settlement of Tipi and Tu Te Akau after the latter had received his moko nearby. Tipi snared birds in a miro tree which came to be called Te Pekenui a Tipi (the great perch of Tipi). A small piece of land belonging to Turahui was called Takotokoraha o Turahui; it was used as a cultivation. Punga's grandchild Wera who lived by the Moakurarua stream named a nearby swamp Mangonui a Wera, and built a fishing weir in the stream which he called Tupareraupunga, after a rock there. Another tohu was Waiwhakaata a Tukitaua (the reflecting water of Tukitaua): a pool of water in a log which was used as a mirror. Tukitaua's daughter Te Waikohika was named after the mirror, so that the whakapapa bore testimony to her physical presence on the land.³

Table 21: Showing the Ngati Matakore ancestors who first established a connection with Kopua-Pirongia.⁴

| Punga | Tipi | Tukitaua f. = Manukipureora (grandson of Matakore) | | | | |
|---------|--------|--|------------|---------|------|--------------|
| Hounuku | Ngawai | Te Ahiwhakapu | Tu Te Akau | Turahui | Raka | Te Waikohika |
| | Wera | | | | | |

All Ngati Maniapoto knew the spot called Whakairoiro; but it was a descendant of the chief Ruarangi who told how the name arose, following a

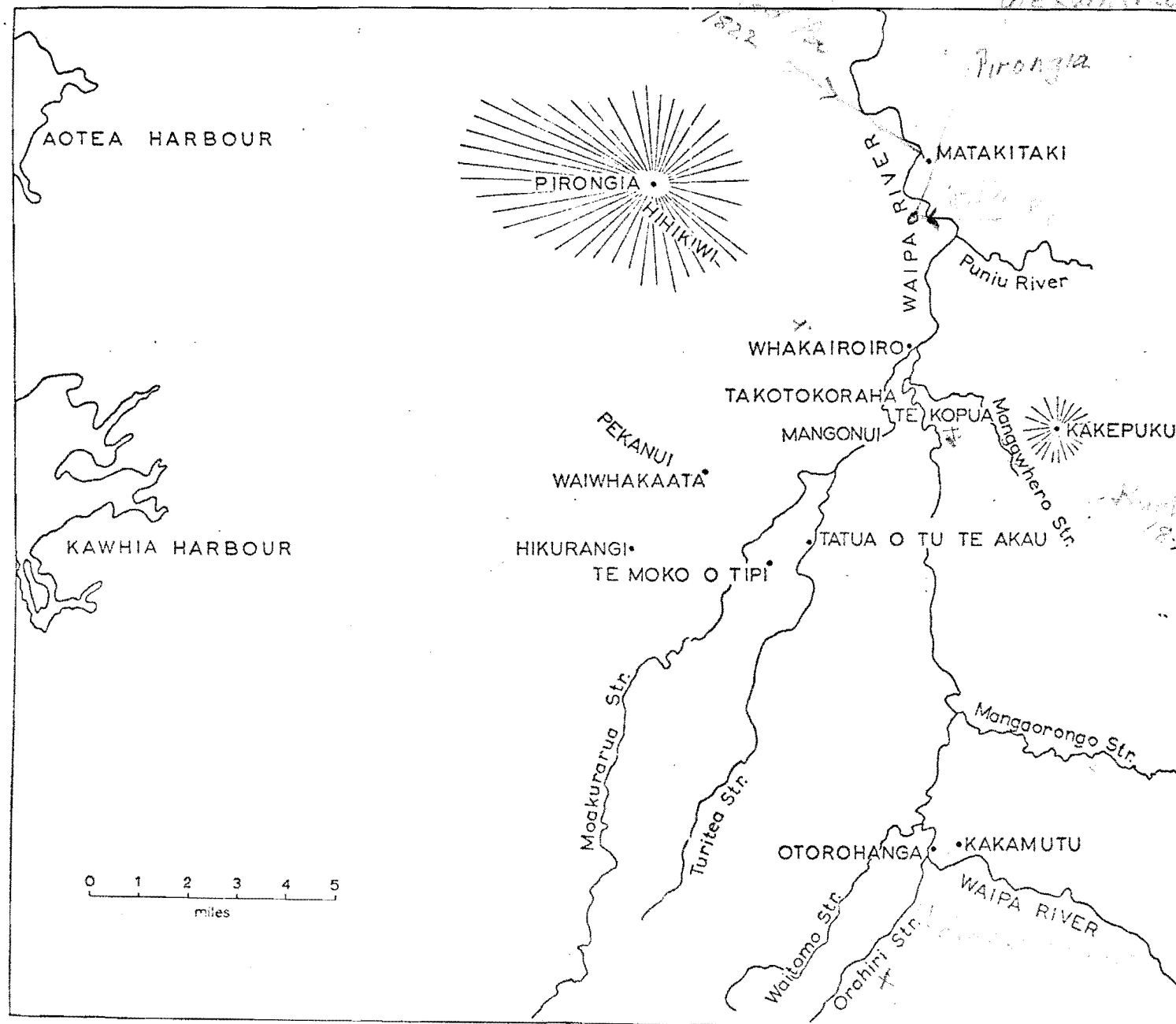
2. Rihari Tauwhare, ibid., p.340.

3. Te Rauroha Te Ngare, ibid., p.98.

4. Taken from whakapapa given by Te Rauroha Te Ngare, ibid., attached to p.100. For the Ngati Matakore take to Kopua-Pirongia, see pp. 78-80 above.

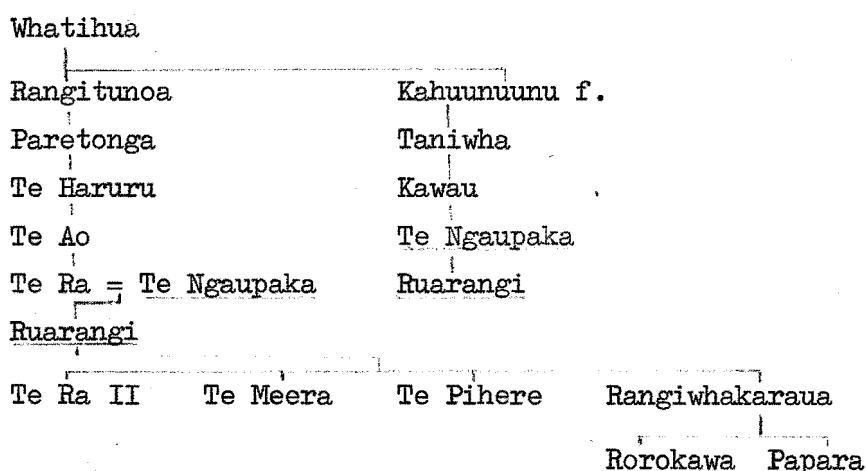
Map 6.

Sites of tohu in Pirongia/Otorohanga district.



dispute between Ngaupaka's son Ruarangi and another chief named Ruku. They quarrelled when Ruku took possession of a rimu tree where birds were snared on the west bank of the Moakurarua stream. Ruarangi met his challenge boldly: '"hai whakairoiro kau o moko ki te kaitawao i toku whenua"' he sneered, 'meaning altho' [sic] his face being finely tatooed he should have been a gentleman [rangatira] - but he was only a land thief ...' From that time, the place where the tree stood ceased to be known as Hurumau (the place where feathers were taken), and recorded instead the moral victory of Ruarangi.⁵

Table 22: Showing descent of the claimant Papara from the ancestors whose tohu he knew.⁶



And had not Te Ngaupaka himself killed a ngarara (monster) which was terrorising his people? The ngarara - Tawaketara - lived at a place since named Te Whatu, and was accustomed surreptitiously to devour travellers who were passing to and from Kawhia. But on one occasion when he disposed of a chief named Kiritara, one of the party escaped and carried back to his people news of the ngarara and its anti-social activities.

5. Te Wi Papara, ibid., p.368.

6. Taken from whakapapa given by Te Wi Papara, ibid., attached to p.366. For Papara's take to the Pirongia land (as a descendant of Raka) see pp.72-77 above.

Te Ngaupaka held a council about the matter, and he and Te Whatu raised a taua. Armed with spears the people set off for the lair of the ngarara; when they were close they built a stage between some trees and sent a man forward as bait. The ngarara dashed forward for the food; the man dashed back under the stage and was quickly hauled up on a mangemange ladder, and as the ngarara ran after him the people threw their spears and killed it. When they cut its belly open they found Kiritara's head inside, which they recognised from his greenstone ear pendant. (The pendant was still held in the possession of Ngati Toa.) As for the home of the ngarara, it became a tuahu, where people placed grass on a stone called Te Whatu to protect them on their journey from the lesser danger of rain.⁷

Tohu connected with birth and death were especially important. Umbilical cords (iho) of newborn chiefly children were placed in certain spots "secured to a stone, and after the former decayed the stone still maintained the name and power of the iho". A Tuhoe elder pointed out two such takotoranga iho tamariki (resting places of umbilical cords) to Best, as they travelled together by canoe on Lake Waikaremoana: one a large isolated rock, the other across the lake at a place called Opuruahine; "there lies the iho of Hopa's brother, which preserves our mana over those lands".⁸

Iho, however, decayed rapidly, and the remaining stone (a whatu) was protected by makutu from intruders.⁹ The bones of the dead, of course, neither disintegrated nor enjoyed this sort of protection; and as men lived in constant fear of the bones of their ancestors being discovered by

7. Te Wi Papara, ibid., pp.377-378.

8. Taylor White, 'The Ceremony of Rahui: Part II', TPNZI, 1899 32: 358, quoting from Elsdon Best's pamphlet Waikaremoana.

9. For an explanation of whatu, see p. 46 above.

enemies and suffering desecration, they were particularly careful to deposit bones in the heart of their territory - and to avoid leaving them on someone else's land. For this reason bone repositories were always cited as proof of permanent occupation. Ngati Paiariki had a repository called Makeokeo where the bodies of Whatihua and Paiariki's son Tunakaitahua had been placed in a rata tree. During the Waikato occupation of the Waipa in the 1820s the tree had burnt down, but its memory was preserved in the name of a descendant of the two ancestors, who was called Te Ratanui.¹⁰ Again, the whakapapa recorded a mark of occupation of the land. And the hopes of the ancestor Kapakapuri, it was said, were put on the branches of a tree to be used for stretching a line to catch birds. The tree was near Mangapapa, 'and it is from the fact of Kapakapuri's bones being put there that the tree and the land in that vicinity is known by that name ...'¹¹

There was a bone repository, too, at Puketotara. Te Whakapuharu of Ngati Te Waha was placed there, after his bones were brought home from Kakepuku. He had died there and his body was taken to Hauturu, 'but as the land did not belong to us, we exhumed his body...' Te Wi Papara explained, and (he implied) carried it to land where it did belong.¹²

Table 23: Showing the right of Te Whakapuharu's bones to be deposited on Ngati Te Waha territory.¹³

| | |
|---------------|----------------|
| Waitiere | |
| Waha | |
| Ruatemarama | |
| Te Rangianana | |
| Te Ngairo | Te Tuki |
| | Te Whakapuharu |

10. Te Wi Papara, MLC, Kopua-Pirongia, p.377. Te Ratanui was Papara's elder brother.

11. Rihari Tauwhare, ibid., p.340

12. Te Wi Papara, ibid., pp.376-377.

13. Part of whakapapa given by Te Wi Papara, ibid., attached to p.366.

Ngati Paiariki told another story about a repository - a lake named Komatawhatia, where Tipi, Te Ihunui and others were said to have been placed - at the expense of their opponents, Ngati Matakore. On one occasion, a party was travelling in the vicinity of the wahi tapu, which included both Te Rauiri of Ngati Pourahui and Patara Tumukauri of Ngati Matakore. Seeing a bend in the Moakurarua stream which seemed to form a lake, Patara turned to Te Rauiri and asked 'where is the lake where the old people are buried'? Te Wi Papara of Ngati Paiariki continues the tale: 'Te Rauiri replied in a joking way 'that is it there, after which Patara Tumukauri grieved thinking that Rauiri was in earnest and we left him there crying [tangi'ing] and went to the settlement; it was at the time Tawhia [Te Rauangaanga] came back from Waikato and lived at Hauai [Te Kopua]; when we came back to settl.^t Te Rauiri told Tawhia about it and said 'there is Patara crying on the bend in the Moakurarua creek, but I knew all along that they were buried at Komatawhatia, my ancestor Whatihua had told me of it, but it was kept secret'.¹⁴ Secret, that is, to the tangata whenua - who ought to know where the bones of their ancestors were. But Tumukauri of Ngati Matakore, who pretended to the land, did not know.

Kainga and Pa

The obvious proofs of occupation of course were kainga (settlements), cultivations, and pa (fortifications); and it was important to be able to point out their sites, to know their names and the names of the ancestors and of contemporary elders who had lived and worked and fought there. It was always impressive to cite a waiata - as Rihari Tauwhare did - in which the connection between one's ancestor and his pa was recorded. Noting among his people's pa one at Maturangi, on the north side of the Kauri

14. Te Wi Papara, ibid., p.376. Komatawhatia, he added, was the name of a taniwha who lived there.

River (Kawhia district), he added '... that pa belonged to Te Wharepuhi, there is a song in connection with it commencing "Aua e tu mai ki Muturangi a Te Wharepuhi" ...'.¹⁵ Hone Kaora enumerated some twenty settlements which Ngati Hikairo and Ngati Apakura had occupied at Kawhia during the 1850s;¹⁶ Hauauru of Ngati Raukawa listed the pa within the Rohepotae which had fallen into disuse, and went on to name a dozen more which had been 'built and peopled in my own time'.¹⁷

Use of Resources

There were, finally one's eeling, fishing, hunting and felling rights. 'With regard to exercising ownership over the land it was done in connection with fish, eels, birds, lampreys, tahara [tawhara] etc. and is so at the present time', an elder of Ngati Kinohaku stated.¹⁸ Men spoke of their netting places, their pipi grounds and dogfish-catching places; Hone Kaora named a large stone Te Matau in the water in Kawhia harbour as a mark from which fishermen took their bearings for setting nets, and Poureterete a pohutukawa tree 'from which the bearings of a fishing ground are taken & it is only the people of the place who know them correctly in order to obtain a good catch'.¹⁹ Rihari Tauwhare's ancestors caught birds in a mangeao tree at Paewhenua called Pukehoua which was divided in two with a stone in the cleft; two chiefs each owned one branch of the tree. Another tree, a miro, was called Hape, and at Titahi there was a kaka

15. Rihari Tauwhare, ibid., p.341.

16. Evidence of Hone Kaora, 28 September 1886. MLC, Otorohanga Bk. 1, (Rohepotae), p.377.

17. Hauauru, MLC, (Rohepotae), p.274.

18. Hone Ropiha, MLC, Kinohaku West Block, p.72.

19. Hone Kaora, MLC, (Rohepotae), p.337.

post called Titahi which belonged to an ancestor named Karapiro.²⁰ Ngati Horotakere caught birds at a water pool at Waikuku.²¹ Hauauru named eel weirs in a number of streams - as many as thirteen in one; in one branch of the Mangaorongo there were five named Ngati Whakatere weirs 'in the custody of Irihapeti & myself'.²² And Robert FitzRoy described a discussion between two parties at the Bay of Islands, 'when the Question at Issue, no less than Peace or War, depended on the one Tribe having killed Rats upon certain Grounds. In the Discussion the older People pointed out a very defined Line, showing which was their Land, and which was that of the other Tribe; and the disputed Place was decided by the Proof of one Tribe having killed Rats there'.²³

Challenge of Intruders (atete)²⁴

It was not enough, however, merely to give an account of one's own activities. Equally important were proofs that intruders attempting to help themselves to the resources of the land had been challenged and turned away. Did those whose rights were not admitted stop up the opening in an eel weir, cut down a tree for a canoe or (in pakeha times) initiate a sale or lease of land? In such a case the tangata whenua - if they wished to protect their claims - were obliged to interfere, lest it be held against them ever after that they had not done so. The rightful owners of the tree or of the weir, after all, would have taken action! The weir,

20. Rihari Tauwhare, MLC, Kopua-Pirongia, pp.335-336.

21. Rihari Tauwhare, ibid., p.344.

22. Hauauru, MLC, (Rohepotae), pp.277-278. Irihapeti was his cousin, and the daughter of Wahanui.

23. Evidence of Captain Robert FitzRoy, BPP, '1838 Report of Select Committee' p.178. The 'very defined Line' was evidently a rat-run, made by the rats themselves.

24. Hone Kaora defined atete as 'the power to prevent the land being occupied by those who have no right to it & to warn them off, & even to forcibly eject them'. MLC, (Rohepotae), p.369.

therefore, was unplugged, the tree was guarded so that it never left the spot where it had fallen, the sale or lease was disputed and the payment redistributed. There was no alternative but to dispel a threat to one's claims by a demonstration - or if necessary the use - of force. And such challenges were dramatic gestures, which would be widely talked about, and pass into local history. Above all, they were made for the benefit of one's descendants.

The sons of Ingoa - Te Maungariri and Te Hikihiki - went on one occasion to build an eel-weir at a place called Tohitohakapeke in the Mangawhero stream. The Ngati Maniapoto chief Te Ririorangawhenua and his brothers heard of it and went over to destroy the weir. They arrived to find it finished, and set fire to it; but Te Maunga's party, leaping to its defence, poured water on the flames. The weir survived 'as Te Maunga & [others] were strong in extinguishing the flames', and Te Ririorangawhenua evidently admitted defeat.²⁵ Horonuku Te Heuheu, coming upon four pits on Ngati Waihurihia land at Maraeroa - freshly dug by Ngati Maniapoto as boundary marks, filled them up. He continued on his journey and saw a rahui belonging to Ngati Maniapoto, and he took the garments down and burnt them.²⁶ Another story is told of some totara which came floating down the Waioeka stream in a very heavy fresh, to be taken possession of by Ngati Ira, who lived on the east side of the stream. Ngati Patu, who lived on the other side, were enraged when they heard that the logs had been landed, for they had always before taken the timber themselves. The totara which grew upstream was theirs; to let Ngati Ira keep their haul was merely to invite

25. Evidence of Te Oro Te Koko, 9 May 1889. MLC, Otorohanga Bk. 6, (Rohepotae), Kakepuku-Pokuru Block, p.246.

26. Evidence of Te Heuheu, 2 May 1888. MLC, Otorohanga Bk. 3, (Rohepotae), pp.180-181, 187.

a further trespass. Ngati Patu crossed the stream, therefore, and repossessed the totara.²⁷ And a dispute between Thomas Hughes of Ngati Makahori and Te Anga Toheroa of Ngati Matakore about a totara log in the Moakurarua stream ended when Hughes and his brother cut it up - effectively thwarting Ngati Matakore plans to adze it into a canoe.²⁸

The introduction of European crops and agricultural methods, it may be added, offered remarkable new scope to opposing parties - ever-watchful lest their rights be infringed. The planting of fruit trees, of grass-seed and wheat, the building of mills and fences (and the consequent necessity to fell quantities of timber), and the depasturing of sheep and cattle might all be occasions for the outbreak of quarrels - the more so as newly cleared land was often involved where in the past, perhaps, there had been no need to define respective rights nicely.

John Ormsby told a story about a man named Riki Thompson who built a fence at Hauai, near Te Kopua. Poukauri of Ngati Paiariki - who suspected that Thompson was trying to substantiate his wife Hinerangi's claim to the land - wanted to go and pull it down, but was restrained by another elder anxious to uphold King Tawhiao's tikanga tariao.²⁹ It was suggested instead that Thompson be asked to explain himself; and a deputation consisting of Ormsby, Tuhimataranga and Te Katipa went to visit him: 'we have come to ask you, why you built that fence' said Tuhimataranga, 'whether you are building it because you claim the land or merely for the purpose of growing food ...' (that is, to fence off the crops.)³⁰ Thompson

27. Evidence of Taua Nikora, 22 August 1888. MLC, Opotiki Bk. 3, Oamaru Block, pp.311, 314.

28. Thomas Hughes, MLC, Kopua-Pirongia, p.147.

29. Tariao (named after the morning star) was Tawhiao's adaptation of pai marire, dating from the 1870s. It was based on the Old Testament and on traditional beliefs - genealogical chants and prayers to God both forming part of the service. There were at least two tariao priests in each Kingite village, and services were held twice a day. Tawhiao also issued laws at this time specifically forbidding disputes over land claims.

30. Evidence of John Ormsby, 8 June 1888. MLC, Otorohanga Bk. 4, (Rohepotae), Kopua-Pirongia-Kawhia, p.16.

and his wife beat a hasty retreat before this onslaught, Thompson insisting that he wished merely to grow crops for Tawhiao's people and Hinerangi dissociating herself entirely from his proceedings. Both disavowed any intention of claiming the land. With this admission recorded before witnesses, Ormsby's party concluded that the fence might safely be left standing - though, as Ormsby himself was at pains to impress upon Thompson: 'if the fence had been put up because you claim the land, I should have pulled it down at once ...'³¹ And by way of reinforcing his own claims, he stayed to help Thompson complete the fence.

On another occasion a group of Ngati Ngawaero were asked to leave Hiruharama (near Te Kopua) - where they had cultivated while they lived in a mission settlement and return to their own cultivations. Their elder Te Maapu Tahuna agreed to go, but the young people decided to make an issue of it, and yoked up their bullocks. The news was carried back to Ormsby, who yoked up his own pair of bullocks, and managed to get a good start on the land before Ngati Ngawaero put in an appearance. They came in force, Ormsby remembered, with two pairs of bullocks, and both parties set to ploughing furiously. 'About midday Te Maapu said we better stop the plowing & discuss the matter, but I objected & no discussion took place & plowing went on ...'³² Towards evening a man of Ngai Te Rangi who had heard of the dispute arrived, and he went between the parties and arranged that both sides should stop work and take the ploughs home. Local elders worked out an agreement afterwards, by which Ngati Ngawaero were to have the north end of Hiruharama and Ngati Paiariki the south end.

31. John Ormsby, ibid.

32. John Ormsby, ibid., pp.14-15.

Two parties of Ngati Maru disputed each other's rights during the mid-1840s to land at Manaia, on the Coromandel Coast. Ngati Te Aute and Ngati Hauauru, led by their chiefs Te Hoterene and Te Mamaku went onto the ground, cleared and planted it and gathered the crop. Then, it was said, Hoterene made a clearing, and Ngati Whare - his opponents - burnt it off. Hoterene came back and planted his crop, and Ngati Whare harvested it. The following year Ngati Whare got in first, and did the planting; Te Hoterene came and pulled up the crop, and fighting was averted only by the intervention of a neutral chief, who persuaded Hoterene to stay away.

It came to the third season, and Ngati Whare - undaunted - put in their crops. But again an impartial chief, Tawa, intervened. Both parties agreed to accept his mediation, and gave the land into his keeping. Then Tawa sent Te Hoterene's people to plant their seeds on top of those which were there already. Neither party, now, could boast that theirs was the only seed in the ground; neither, however, had surrendered their claim. And what of the harvest? "Let the trees gather the crop" [said Tawa] "let no man's hand gather it". And 'the seed stayed in the ground four years and was not gathered and trees grew over it'.³³

Gifts

The competitive gift or exchange of resources afforded the hapu an important opportunity of recording local recognition of their claims. Preparation of a gift was a slow and time-consuming business; its presentation was a public and memorable occasion. There was ample scope for opponents to challenge hapu rights to catch the birds or carve the totara intended for the gift, or to insist on taking possession of the reciprocal gift themselves. Their failure to intervene was a triumph for the hapu, who kept a careful record of successful exchanges.

33. Evidence of Eruera Te Ngahue, 5 June 1871. MLC, Coromandel Bk. 2, Owari Block, p.48. For the origins of the dispute, see ibid., pp.46-47.

Ngati Te Kanawa, for instance, had made a canoe called Te Puru-a-Rawaki, which was sent to Ngati Haua at Hauraki. In return, they received a topuni (black dogskin mat). The mat was wrapped around a Ngati Te Kanawa tupapaku; and a more forceful reminder that the canoe for which it had been given came from Ngati Te Kanawa land would have been difficult to find.³⁴ Similarly Te Moerua of Ngati Te Kanawa stated that on the occasion of a meeting, his people had taken birds at a bird-catching place named Te Kawakawa, to present to their guests Ngati Maru. Ngati Maru, in their turn, gave a greenstone and a horse. Te Moerua, who had provided the papa (vessel of preserved birds), got the horse, and since nobody objected to his taking it he assumed that there was general acknowledgement on the home side of his right to catch birds at Te Kawakawa. His opponents' somewhat feeble attempts to explain away their lack of opposition at the time show that this was a very fair assumption. They had made enquiries about the horse, but were told that the papa for which it was exchanged came partly from Marokopa, 'so Rawenata said "it is of no consequence".' They had never heard that the birds came from Te Kawakawa, and the matter therefore had been of no concern to them. But '[i]f Te Kawakawa had been mentioned, we would have taken the horse'.³⁵ Either, it seems, they had not done their homework properly, or they had not had the gall to demand the horse from people whose bird-catching rights were established in the area. But their failure to take possession of the horse was proof that they had not protected their rights at Te Kawakawa after the fashion of true owners.

After their defeat of Waikato-Maniapoto at the battle of Matakītaki in 1822, part of the victorious Nga Puhi army wintered near Otorohanga, at

34. Te Maaha Hikuroa, MLC, Kakepuku-Pokuru Block, p.115.

35. Evidence of Te Moerua Ngatanahira, 7 December 1888. MLC, Otorohanga Bk. 5, (Rohepotae), Kinohaku West Block No. 3 (Te Kawakawa), pp.185-186.

Orahiri. As the need arose, they raided the countryside, taking back food and prisoners. But in the spring, Te Wherowhero and Te Otapeehi, determined to drive out the invaders, led a force of picked men against them. In a dawn attack, they all but annihilated Te Huiputea and his party, and captured all their guns. More important, the success of the raid convinced Hongi - then at Kawhia - that it would be foolish to wait for the full force of the enemy to turn on him. On hearing the news of the disaster, he set off at once for home.³⁶

In gratitude to the Waikato chief Te Wherowhero for his defeat and expulsion of Nga Puhi, Ngati Maniapoto later decided to honour him with a gift of huahua. A thousand birds were preserved, and put in a receptacle called Tarakiraki.³⁷ But to which chief was the gift presented in the first instance? Who was chosen - as the representative of the people whose land had been defended, and whose birds had been gathered - to give the vessel to Te Wherowhero? Sixty years later Ngati Hinewai argued that their chiefs Takerei, Waitara and Te Rangituatea had received the birds, and that there were three vessels, including one (supplied by Pehikorehu) called Haowhenua.³⁸ But Ngati Rangatahi were confident that the birds were obtained for Te Whareangaanga. To commemorate an occasion so significant for their claims, Te Whareangaanga's people changed the name of their settlement Waitetotara to Tarakiraki, and the land in that vicinity had been known ever since by the name of the huahua receptacle.³⁹

36. Pei Te Hurinui [Jones], Potatau, pp.123-126. Te Huiputea was Hongi's second-in-command.

37. Te Kanawa Tangitehau, MLC, Otorohanga Block, p.124.

38. Hami Haereiti, ibid., p.380. The last detail suggests confusion with a gift made on another occasion by Tukorehu's people to Te Wherowhero, who was married to Tukorehu's daughter Ngawaero. See Pei Te Hurinui [Jones], Potatau, pp.134-146. Waitara and Te Rangituatea were descendants of Maniaurua, who had defended his territory against Te Wharaunga. See p. 95 above.

39. Te Kanawa Tangitehau, MLC, Otorohanga Block, p.124; Patupatu Keepa, ibid., p.233. Waitetotara was said to have been three hundred yards south of Otorohanga Courthouse. Te Whareangaanga was a descendant of Te Wharaunga; for a discussion of the Ngati Rangatahi take to Otorohanga, see pp.91-94 above.

Table 24: Showing how Te Whareangaanga's gift of birds reinforced the claims of Ngati Rangatahi, descendants of Te Wharaunga.⁴⁰

| | |
|-------------------------|------------------|
| Rangatahi = Maniauruahu | |
| Urunumia = Te Kawa | |
| Te Kanawa | |
| Tutunui | |
| Te Wharaunga | |
| Pango | |
| Te Wharaunga II | Te Whareangaanga |

Peace with Nga Puhi had followed soon after their expulsion. And while Te Wherowhero was still living with his people at Waipa, a party of Nga Puhi came to visit him. Food was placed before each of the chiefs, to be distributed to their people. By some oversight, however, a chief named Ruku was omitted in the ceremony. Ruku was highly affronted and - since Waikato would have been anxious not to open a new breach with Nga Puhi - the Ngati Te Kanawa chief Te Puhia was sent to Te Meera of Ngati Ngaupaka to ask for some special food which might appease Ruku. Te Meera supplied eels from his weirs Te Tarere and Te Karaka in the Waipa River, and Te Para in the Moakururua, and Ruku was satisfied. Not long afterwards, Waikato returned the Nga Puhi visit. Te Puhia and his people, travelling in a canoe called Te Ahirahaki, were among the party; and they left that canoe as a present to Nga Puhi. Nga Puhi made gifts in return: Ruku gave his pakeha called Armitage who was to be based at Kawhia, while the other gift was a single-barrelled flint gun, in return for the canoe and the food supplied at Waipa. So that this exchange should be remembered, the gun was named Te Ahirahaki, and Ngati Te Kanawa gave it to Ngati Ngaupaka in return for their eels.⁴¹

40. Taken from whakapapa given by Te Kanawa Tangitehau, ibid., attached to p.124.

41. Te Wi Papara, MLC, Kopua-Pirongia, pp.373-374.

Table 25. Showing the right of Te Meera to catch Ngati Ngaupaka eels, and the reinforcement of Ngati Ngaupaka claims by his gift.⁴²

| | |
|-----------------------|----------|
| Te Ra = Te Ngaupaka | |
| Ruarangi | |
| Te Ra II = Pirakaraka | Te Meera |

Partly, of course, they were discharging an obligation - partly creating one, in anticipation of their need of further help. But the story was important to Ngati Ngaupaka because it so convincingly recorded Ngati Te Kanawa acknowledgement of their rights to the eel weirs.

Sales of Land

Payment given by pakeha in return for land sold was used to record recognition of hapu claims in exactly the same manner as was a reciprocal gift.

In the late 1830s, for instance, land near Otorohanga was sold to a pakeha named McCormick (Kameka). Many years later, Ngati Maniapoto were arguing among themselves as to which of them had taken the payment, and whose land it really was. The land lay between the Waitomo and Orahiri streams and - as Ngati Rangatahi pointed out - was bounded by two marks called Kakamutu and Kurukuru. Kakamutu, they explained, was a Ngati Rangatahi tohu: it took its name from the pet kaka of a Ngati Rangatahi ancestor named ?Pakia, which had a deformed leg.⁴³ The sale of Kakamutu, then, was conducted by Rangioiroa, a descendant of Te Wharaunga. McCormick paid a deposit on the land of blankets, clothing, tobacco, and two guns:

42. Taken from whakapapa given by Te Wi Papara, ibid., attached to p.366. For further details, see Table 22 above.

43. Te Kanawa Tangitehau, MLC, Otorohanga Block, p.139. Kakamutu is the name of a hill which one witness pointed out as being visible from the Otorohanga Courthouse; mutu means mutilated, truncated. The name of the bird's owner was also given as Pukaia.

a pistol, and a double-barrelled gun. Each barrel of the gun was named for a boundary of the land sold - one was called Kurukuru, the other Kakamutu - and the gun was given to Koinake of Ngati Rangatahi.⁴⁴

Table 26. Showing the right of Rangioiroa and Koinake to sell Ngati Rangatahi land, and their reinforcement of Ngati Rangatahi claims by virtue of the sale.⁴⁵

| | | |
|-----------------------|------------------|------------|
| Maniapoto | | |
| Tutakamoana | | |
| Rangatahi | | |
| Urunumia | | |
| Te Kanawa | | |
| Tutunui = Parekaihinu | | |
| Te Wharaunga | | |
| Pango | | |
| Te Wharaunga II | Te Whareangaanga | Rangioiroa |
| Te Ngake | | |
| Koinake | | |

Ngati Rangatahi opponents for their part - who did not wish to acknowledge Rangioiroa's sale - were hard put to it to explain who might have sold the land instead. But they plumped in the end - rather unconvincingly - for Hori Te Waru, Rangioiroa's husband! Te Waru had got the gun they said, (though they knew nothing of the two named barrels!) and it had passed finally to Patupatu Keepa of Ngati Hinekino.⁴⁶ Patupatu himself, however, was strangely reticent about his possession of the gun.

44. Te Kanawa Tangitehau, ibid., pp.130-131; Ngatoko Kupe, ibid., p.189.

45. Taken from whakapapa given by Te Kanawa Tangitehau, ibid., attached to p.124. For the Ngati Rangatahi take to the Otorohanga land, see pp.91-94 above.

46. Wahanui, ibid., pp.252, 259; Patupatu Keepa, ibid., p.233; Hari Matetoto, ibid., p.274. For the Ngati Hinekino take to Otorohanga land, see pp.95-97 above.

For Te Waru was a foreigner of Ngati Paretekawa, and pretended no claims to Otorohanga land; if he handled the payment it could only have been on behalf of his wife. Clearly Patupatu felt that to advertise his share in the payment was tacitly to acknowledge Rangioiropa's right to distribute it. He preferred, therefore, to overlook the sale.

The question of who in fact did have the right to sell a piece of land was one which could not always be readily answered. In its early days, the sale was a quite foreign procedure to Maoris, and they learned to manage them only after some experimentation. Maning's classic description of the difficulties confronting a hopeful and sincere pakeha purchaser in the 1830s, is evidence of the early undisciplined approach of claimants to a sale, when each man felt he should conduct his own:

I now purchased a piece of land and built a 'castle' for myself. I really can't tell to the present day who I purchased the land from, for there were about fifty different claimants, every one of whom assured me that the other forty-nine were 'humbugs', and had no right whatever. The nature of the different titles of the different claimants was various. One man said his ancestors had killed off the first owners; another declared his ancestors had driven off the second party; another man, who seemed to be listened to with more respect than ordinary, declared that his ancestor had been the first possessor of all, and had never been ousted, and that this ancestor was a huge lizard that lived in a cave on the land many ages ago, and sure enough there was the cave to prove it. Besides the principal claims, there were an immense number of secondary ones - a sort of latent equities - which had lain dormant until it was known the pakeha had his eye on the land. Some of them seemed to me at the time odd enough. One man required payment because his ancestors, as he affirmed, had exercised the right of catching rats on it, but which he (the claimant) had never done, for the best of reasons, i.e., there were no rats to catch, except, indeed, pakeha rats, which were plenty enough, but this variety of rodent was not counted as game. Another claimed because his grandfather had been murdered on the land, and - as I am a veracious pakeha - another claimed payment because his grandfather had committed the murder! Then half the country claimed payments of various value, from one fig of tobacco to a musket, on account of a certain wahi tapu, or ancient burying-ground, which was on the land, and in which every one almost had had relations, or rather ancestors, buried, as they could clearly make out in old times, though no one had been deposited in it for about two hundred years, and the bones of the others had been (as they said) removed long ago to a torere [abyss]

in the mountains ...

There was one old man who obstinately persisted in declaring that he, and he alone, was the sole and rightful owner of the land. He seemed also to have a 'fixed idea' about certain barrels of gunpowder; but as he did not prove his claim to my satisfaction, and as he had no one to back him, I of course gave him nothing. He, nevertheless, demanded the gunpowder about once a month for five-and-twenty years, till at last he died of old age ...⁴⁷

Twenty years later, the northerners were rather more slick in their conduct of sales. The Government agent at Kaipara reported a sale in 1854 where rival Nga Puhi and Ngati Whatua claimants were satisfied at the distribution of payment. 'The money was, by Tirarau's consent, placed before Taramoeroa [of Ngati Whatua], who immediately handed it over to Tirarau and Parore [the Nga Puhi chiefs]. These two chiefs having seen this mark of respect publicly shown to them as the former conquerors of the land in question, felt their pride satisfied, and formally placed the whole amount again before Taramoeroa, by whom it was divided among the real owners of the soil.'⁴⁸ But it had been no easy task for the chiefs to agree to cooperate.

It is obvious, in short, that the sale - and later the leasing - of land placed Maori claimants in a predicament. Some of course were greedy, and some were pure opportunists; but the majority, while anxious not to scare the hapless purchaser away, could see no alternative but to plague him for payment. They dare not forego their share, lest their descendants should have the omission flung in their faces. For this reason, too, claimants guarded carefully against pretenders to the land throughout the process of payment. Only those whose whakapapa and established rights entitled them

47. Maning, Old New Zealand, pp.78-81. The old man might not have got his gunpowder, but his persistent efforts to secure recognition of his claims would have stood his descendants in good stead in later disputes.

48. John Grant Johnson to Donald McLean, 18 December 1854. AJHR, 1861 C No. 1, No. 2, p.94. The disputed land, on the Wairoa River, belonged by ancestry to Ngati Whatua. After the battle of Te Ika a Ranganui (1825), however, it had been occupied by some sub-groups of Nga Puhi.

might negotiate with a pakeha, handle the payment, distribute it and - in the case of a payment in stock - acquire the progeny. Animals given for the sale or lease of land were kept separate from other stock the hapu might own, and were always carefully accounted for.⁴⁹ And individual animals were often named for either the land they represented or its owners, to assist later generations to keep a record of the transaction.

An early sale to the Wesleyan Mission at Te Kopua shows Ngati Maniapoto mastering the process - and the difficulties encountered by their pakeha. When Thomas Buddle had arrived in 1840 to establish a station in the Waipa/Waikato district, the Waikato ariki, Te Wherowhero, hoped to acquire him as his own missionary. But none of the sites he had in mind seemed suitable to Buddle, who eventually settled on Honipaka, at the foot of Kakepuku in Ngati Maniapoto territory.⁵⁰ He returned the following year and put up a shed on the land which had been agreed upon with the local people - when, to his dismay, he found himself accused of building on top of a wahi tapu (sacred place) under Te Wherowhero's protection. And what particularly upset the Waikato chief - a polite messenger explained to the missionaries - was that he was responsible to Nga Puhi for guarding the bones of some of their relatives which had been placed there. He was therefore unable to remove the tapu, and if he allowed it to be desecrated faced possible retribution at the hands of Nga Puhi.⁵¹

49. See, for instance, evidence of Te Rauroha Te Ngare, MLC, Kopua-Pirongia, p.101.

50. Thomas Buddle, Diary, 30 and 31 October 1840. MS. In Alexander Turnbull Library (transcript).

51. John Whiteley, Journal, 27 and 29 April, and 1 May 1841. MS. in Alexander Turnbull Library. Two interpretations of the wahi tapu story are possible: either it was ~~true~~, and some Ngati Maniapoto party had put Buddle there deliberately, to irritate Te Wherowhero (a situation which Te Rau hoped to capitalise on); or it was not true, and Te Wherowhero hoped that the missionary might yet be shifted to a district where he would be under Waikato influence.

True

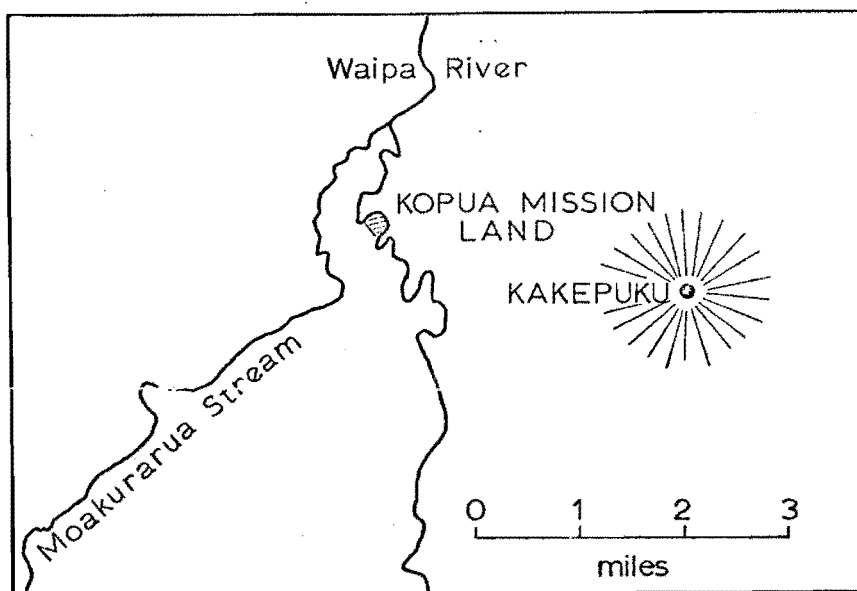
Silenced by this awful threat, the missionaries dropped into the eager hands of Te Wherowhero's relative, Tawhia Te Rauangaanga, who showed them a new site. Whiteley, however, who was learning from experience, found 'it was evident he was in this actuated by a wish to get the Missionary all to himself', and turned the place down.⁵² Tawhia Te Rau, irritated, refused to show them anywhere else, and the deadlock was broken only by the arrival from Waikato of the chiefly woman Hoana Te Riutoto. Next day all parties agreed on land at Te Kopua; a deed was signed, and the Wesleyans paid a deposit of four sovereigns.⁵³

How much land was involved at that time is not clear. But in 1847, when the deal was concluded, the new missionary George Buttle was still expecting a large piece of land stretching to the mouth of the Moakurarua stream and beyond. Instead, he found he was to get a much smaller section of some thirty or forty acres. Soon after he had made the final payment to Tawhia Te Rau, he saw a man he did not know marching about on the land laying off new boundaries, and digging them in on the ground; 'the Rev. Mr Buddle [sic], inquired who the old man was & was told that is the man who owned the land ...'⁵⁴

52. *Ibid.*, 4 May 1841. Tawhia became better known by his baptismal name as Takerei Te Rau. He was connected with both Waikato and Ngati Maniapoto (see pp.129-130 below), and later became influential in the King movement.

53. *Ibid.*, 4 and 5 May 1841. Te Riutoto, too, was influential with both Waikato and Ngati Maniapoto; for her part in the sale, see pp.131-132 below. A copy of the deed may be found in [H. Hanson Turton], Maori Deeds of Old Private Land Purchases in New Zealand, From the Year 1815 to 1840, with Pre-emptive and other Claims. (Copied from the Originals.) (Wellington, 1882), p.368. The sale was not to be concluded until the Government approved it.

54. Te Wi Papara, MLC, Kopua-Pirongia, p.380. It is suggested in Turton (though not recorded in the 1840 Deed) that thirty-five acres was agreed on in 1840; the supplementary deed of 1847 records the sale of forty acres eighteen perches. William Searancke, however, reported that 'Rev. Mr Buddle [sic] told me, that the area of land sold to the Wesleyan Mission was not so large as originally intended ... they only got about 30 acres, he grumbled a good deal about it, and said that the Mission had been very badly treated'. Evidence of W.N. Searancke, 16 June 1888. MLC, Otorohanga Bk. 4, (Rohepotae), Kopua-Pirongia-Kawhia, p.65. See also evidence of John Ormsby, *ibid.*, p.10.



Map 7. The Mission land at Te Kopua.

As indeed it was. Te Meera of Ngati Ngaupaka had been away from home at the time of the transaction, and was not told of it till he returned. He flew into a rage, seized his tomahawk and marched over to relieve his feelings at the expense of the Ngati Ngawaero chief Te Oro, who had also played a leading part in the sale. When he had finished with Te Oro - though without actually using the tomahawk - he went to mark the missionary's boundaries himself, and when that was done he sent his son Te Reti after Takerei Te Rauangaanga - who had left for another Waipa settlement - to bring back the payment for the land.⁵⁵ Te Reti returned with the thirty pounds, and Te Meera set about showing in the most emphatic manner, that the money represented land which belonged to his own people. Twenty-five pounds he kept for himself; the other five he gave to his cousin Te Huatau. But Te Huatau, once his rights were recognised, felt no need to keep his

55. John Ormsby, *ibid.*; evidence of Te Wi Papara, *MLC*, Otorohanga Bk. 3 (Rohepotae), Kopua-Pirongia-Kawhia, p.380. The name of Te Meera (who was also known as Te Hirere Te Ao) in fact appears on the second Te Kopua deed, dated 18 March 1847. (See [Turton], *Maori Deeds of Old Private Land Purchases*, pp.368-369.) Unless the deed were drawn up after the payment was made, it seems probable that in his absence someone else inserted his name.

share; he therefore returned both the money and the compliment paid him.

So Te Meera bided his time until he was able to buy a horse 'the progeny of which he intended to distribute among the co-owners of the land ...'⁵⁶

Several years later the pakeha Searancke brought four horses back with

him from Auckland, and Te Meera got his mare at last. He called her Mere

Aina, after his daughter. The first foal went back to Te More Waiti and

his father Te Huatau. The second foal was called Hariata, for Mere Aina's

daughter, and was given to her; the third, Matuakore, went to Te Wi Papara.⁵⁷

Table 27. Showing how each of the recipients was entitled to a share of the Mission payment, and how their sale reinforced Ngati Ngaupaka claims to the land.⁵⁸

| | | | | | | |
|---------------------|---------------------------|-----------|-------|-----------------|--|-----------------------------|
| Whatihua | | | | | | Kahuunuunu f. |
| Rangitunoa | | | | | | Taniwha |
| Paretonga | | | | | | Kawau |
| Te Haruru | | | | | | Te Ngaupaka = Te Ra |
| Te Ao | | | | | | Ruarangi |
| Te Ra = Te Ngaupaka | | | | | | Taunaha |
| Ruarangi | | | | | | Tohuroa |
| Te Ra II | Te Meera | Te Pihere | Pango | Rangiwhakaua | | Te Huatau |
| | Paeroa [called Mere Aina] | | | Rorokawa Papara | | Te Ahiramarama ⁺ |
| | Hariata = Searancke | | | | | |

⁺ evidently baptised as Te More Waiti

There is no doubt, in short, that Te Meera proved his point: the land on which the Wesleyans lived was his.

56. Te Wi Papara, MLC, Kopua-Pirongia, p.380.

57. Te Wi Papara, ibid., pp.380-381; evidence of W.N. Searancke, 16 June 1888. MLC, Otorohanga Bk. 4, (Rohepotae), Kopua-Pirongia-Kawhia, p.65. Searancke said he sold the horse in 1852.

58. Taken from whakapapa given by Te Wi Papara, 31 May 1888. MLC, Otorohanga Bk. 3, (Rohepotae), Kopua-Pirongia-Kawhia, attached to p.366. For the Ngati Ngaupaka take to the Te Kopua land (as a hapu of Ngati Paiariki), see pp.72-77 above.

How, then, did it happen that Tawhia Te Rauangaanga - a Waikato chief - had played such an important part in the sale? Ngati Paiariki later maintained - rather inaccurately - that he had acted without any right at all. But they were not entirely wrong, either. For Tawhia's actions stemmed less from any established claim he preferred to the land, than from his status among a group of the tangata whenua. He had lived on the Waipa, after all, only during the general Waikato occupation which was a consequence of Matakitaiki - a defensive measure agreed on by both peoples in case of further Nga Puhi attack.⁵⁹ And though Ngati Maniapoto had withdrawn completely from certain areas to accommodate their guests, and given them unrestricted access to resources in those areas - it was merely a temporary arrangement. After the resounding defeat of Pomare's expedition in 1826, Waikato began to go home, and there was no suggestion that they had earned any permanent rights within Ngati Maniapoto territory.

As Ngati Matakore - the opponents of Ngati Ngaupaka - explained it, Tawhia took part in the sale because of the connection of his mother, Here, with their tupuna. It was as a descendant of Tukitaua, they asserted, that Here had been treated with special deference during her stay with them, and at the time when Waikato were returning home land at Kopua called Takotokoraha (o Turahui) was gifted to her by the Ngati Matakore elders Te Ngare, Peehi Mauri and Te Otapeehi.⁶⁰

59. See pp. 118-119 above.

60. Te Rauroha Te Ngare, MLC, Kopua-Pirongia, pp.99-100, 11. Takotokoraha o Turahui, a cultivation of Turahui's, was claimed as a Ngati Matakore tohu.

Table 28. Showing the relationship - through the Ngati Matakore ancestors Punga, Tipi, and Tukitaua - by virtue of which land was gifted to Here.⁶¹

| Punga | | | Tipi | | Tukitaua = Manukipureora (grandson of Matakore) | |
|---------------------|-------------------------------|-------------|----------------|-----------------|---|------------------------|
| Hounuku | Pouturoto | | Tarahua | | Te Ahiwhakapu | Te Waikohika |
| Pare | Matukutakotako | Paihau | Te Rurenge | | Paretawhaki | Parengaope = Te Umu ki |
| Rauakikitua | Tumatauhapuku | Tarewa | Kuramahearangi | | Hineipu | Whakatane |
| Putahi | Patara Tumukauri ⁺ | Taiki | Te Rionga | | Te Hopara | Whakamarurangi |
| Paremanu | | Te Otapeehi | Parekarau | Parehingaawatea | Te Anga Toheroa | Irohanga |
| Te Manganui | | | | Te Matararupo | | Here |
| Ngahoa | | | | Peehi Mauri | | Takerei Tawhia |
| Te Ngare | | | | | | |
| Te Rauroha Te Ngare | | | | | | |

⁺It would seem that some names are missing from Tumukauri's line.

But Here, after a brief occupation of Takotokoraha, returned to the Waikato, and Tawhia followed her some years later. He took the bones of his tupapaku with him - a final proof, it seemed to Ngati Ngaupaka, that he had no claim to the land - and repaid the Ngati Matakore compliment, by returning the gift to them. Yet neither of these acts marked the end of Tawhia's rights on Ngati Matakore land.⁶² If his tupapaku had closer links with Waikato than with Ngati Matakore, after all, he might well have felt obliged to return their bones to Waikato soil. More important, it seems that the Ngati Matakore gift was merely a recognition of Tawhia's personal mana. Because Tawhia and Here were their close relatives, because they were living on Ngati Matakore land, and because Tawhia was, as a great chief, a relative of whom they might be proud, Ngati Matakore indicated by the gift that he might exercise his mana among them. He sold Kopua therefore, not by virtue

61. Part of whakapapa given by Te Rauroha Te Ngare, ibid., attached to p.100. For the Ngati Matakore take to the Te Kopua land, see pp.78-80 above.

62. Te Rauroha Te Ngare, ibid., pp.100, 107-108; Hauauru, ibid., pp. 123, 133.

of the gift, but by virtue of the mana which prompted Ngati Matakore to make it.⁶³

As with Tawhia, so with Te Oro and Te Riutoto. Ngati Ngawaero were normally resident at Te Kopua; Te Oro's was the name most readily associated with the district. By virtue of his distinguished whakapapa, Te Oro's mana was widely recognised. He could claim close relationship with many other hapu of Ngati Maniapoto, being able to show descent for instance through Matakore, Manukipureora and Wera; from Turongo, Te Kawa, Rungaterangi and Uruhina; from Motai and Unu, and from Upokotaua, Kuo and her husband Paiariki, Hie, Ngawaero and Ingoa. The mana of those names covered all the people of the Waipa district. But Te Oro was not the owner of the piece the missionaries bought.⁶⁴ And Te Riutoto of Ngati Te Kanawa had no rights at Te Kopua. As the widow of the famous warrior Te Hiakai, however, and because of her own forceful personality she had mana.⁶⁵ Had

63. For this reason, Ngati Paiariki objections to Tawhia's right of sale, based on their refusal to acknowledge the gift, were perhaps not entirely convincing. They alleged that Tawhia occupied Ngati Maniapoto land after Matakiki on the same basis as any other Waikato chief - though he lived at Te Kopua because of his relationship with them through Waha! (They provided a whakapapa to prove the point, which bypassed Here altogether.):

| | | | |
|--------------|---------------|----------------|----------------------------|
| | | | Waha |
| | | | |
| | | | Ruatemarama |
| | | | |
| Kahupokaikai | Wharematu | Rangitakawai = | Te Rangianana |
| | Te Ata | Te Ngaio | Te Tuki = Te Atahaere |
| | Kohine | | |
| | | | Hawea |
| | Pura = Here | | |
| | | | Ngawhare |
| | Tawhia Te Rau | | Te Rauiri |
| | | | (elders of Ngati Paiariki) |

Te Wi Papara, 7 June 1888. MLC, Otorohanga Bk. 4, (Rohepotae), Kopua-Pirongia-Kawhia, attached to p.6.

64. See, for instance, evidence of Te Tahuna, 21 May 1888. MLC, Otorohanga Bk. 3 (Rohepotae), Kopua-Pirongia-Kawhia, pp.298-299.

65. Whiteley, Journal, 4 May 1841. Te Hiakai, who belonged to Ngati Te Kiriwai and Ngati Mahuta (the hapu of Te Wherowhero) had been killed in Taranaki some twenty years before, leading the Waikato-Maniapoto attack against Ati Awa and their Ngati Toa allies.

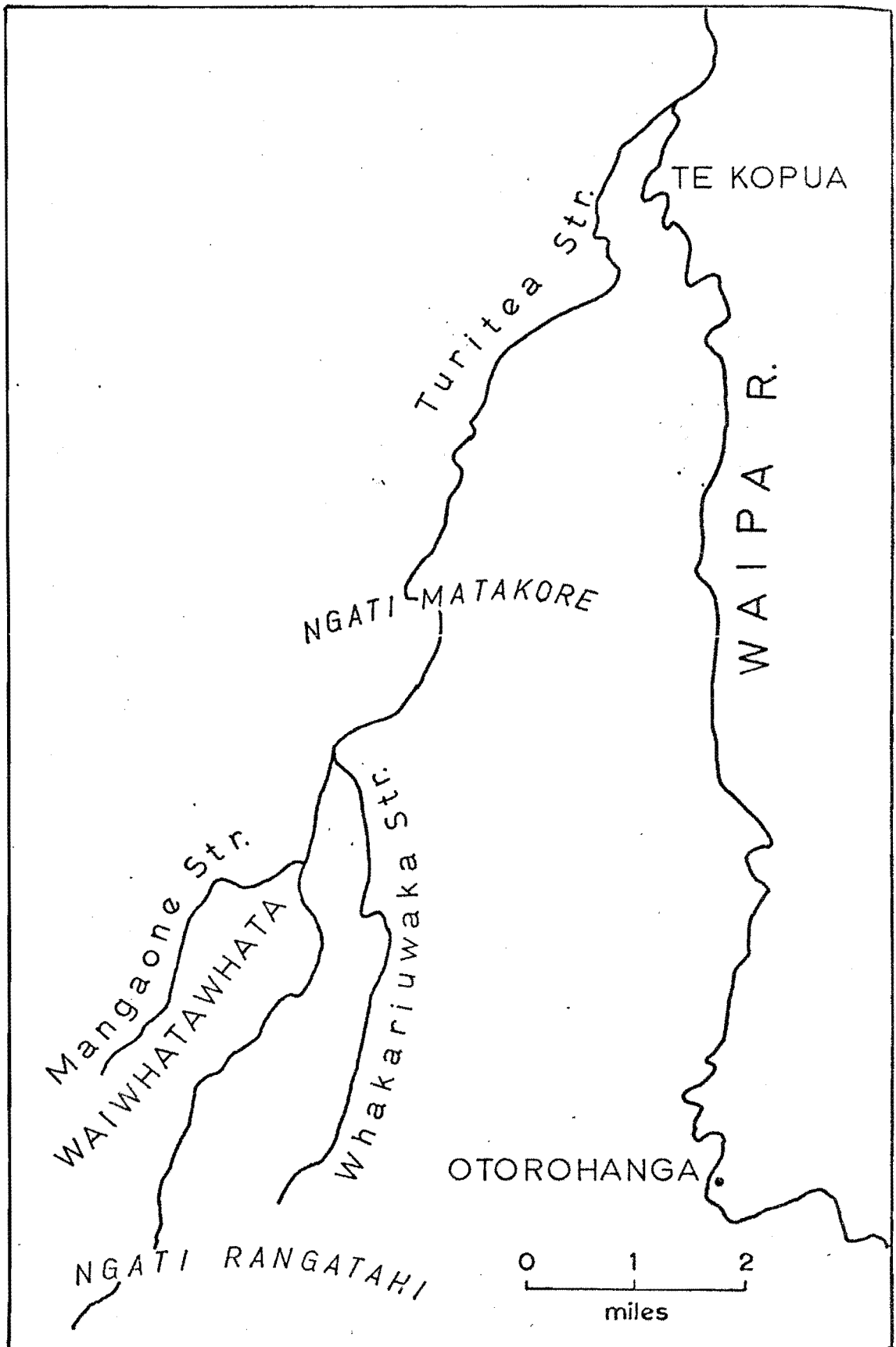
she been away at the time of the sale, it is unlikely that she would have been consulted; because she did arrive and was called upon - no doubt because of her relationship with both Waikato and Ngati Maniapoto - as a suitable person to mediate and to chaperone the missionaries in their search for a site, she came to have an interest in the matter, and therefore signed the deed.

Of the three chiefs who located the Mission, then, none could claim to have exercised rights of usage in the district. All of them, however, had mana among the people who would be affected by their decision. All of them commanded great respect and were able to take the initiative in important matters. But in the final analysis none of them was prepared to deny the right of Ngati Ngaupaka to modify the transaction as they saw fit. It was their land which was involved, and it was proper that they should be handed the payment to distribute among those whom they knew to be entitled. Te Meera accepted this recognition of his claims and - after expressing his anger at not being consulted in a suitably dramatic way which would be remembered by the descendants of all interested parties - agreed that the missionary might stay.

Leases

If pakeha found purchases of Maori land difficult to handle, leases - which involved an annual payment - were potentially even more awkward.

Te Toenga of Ngati Makahori introduced the concept of charging rent to the Waipa district on his return from Sydney in about 1851, and one of the first people on whom Ngati Maniapoto tried out the new scheme was John Ormsby, who was running cattle at Waiwhatawhata, up the Turitea Stream. Ormsby was reluctant to cooperate at first, and had to be persuaded by the



Map 8.

Ormsby's Lease.

anonymous slaughter of one of his bullocks.⁶⁶ And his apprehension is readily understandable. At Waiwhatawhata, his house was awkwardly placed on a disputed boundary, and the surrounding land was variously claimed by Ngati Hinewai, Ngati Urunumia and Ngati Rangatahi. Once the idea of a payment was mooted, a small procession of claimants came to knock on his door, each seeking recognition of his rights.

Te Toenga himself sought payment only for trespassing cattle which wandered off the northern end of the run near Te Kopua. Ngati Matakore, for their part, took payment for the land at their southern boundary mark Te Apunga o Tukitaua, which seems to have marked the northernmost limit of Ormsby's established grazing rights. To show that they received their bullock as descendants of Tukitaua they called it Apunga, handing it to Hauauru's brother, who gave it to Hauauru.⁶⁷

Table 29. Showing why Hauauru received rent for Tukitaua's land south-west of Te Kopua, and the consequent reinforcement of Ngati Matakore claims to the land.⁶⁸

| | |
|---|--|
| Tukitaua = Manukipureora (grandson of Matakore) | |
| Tu Te Akau | Te Waikohika |
| Toropaihaunui | Parengaope = Te Umukiwhakatane |
| Huematamata | Whakamarurangi |
| Ngunu = Irohanga | Irohanga = Kuratiere (1st wife) = Ngunu (2nd wife) |
| Maungatautari | Maungatautari |
| Poutama | Poutama |
| Hauauru Poutama | Hauauru Poutama |

66. Thomas Hughes, MLC, Kopua-Pirongia, p.145; John Ormsby, 7 June 1888. MLC, Otorohanga Bk. 4, (Rohepotae), Kopua-Pirongia-Kawhia, p.11. Ormsby was married to a woman of Ngati Ngaupaka.

67. Evidence of Hauauru, 24 April 1888. MLC, Otorohanga Bk. 3, (Rohepotae), Kopua-Pirongia-Kawhia, pp.125, 130.

68. Part of whakapapa given by Te Rauroha Te Ngare, ibid., attached to p.100. For the Ngati Matakore take to the Te Kopua land, see pp.78-80 above.

But it was the payment for the land further south, around Waiwhatawhata proper, which was the subject of heated controversy - both at the time it was collected, and for many years afterwards. Who was entitled to rent, and on what grounds? Which ancestors were represented by those who negotiated a payment with the pakeha?

Ormsby's first hopeful visitor had been Haupokia Te Nuitone, the leading Ngati Maniapoto chief at Kawhia. This particular claim to fame, of course, gave him no hold over Ormsby, but the experience he had gained with pakeha at the port of Kawhia probably accounts for his taking the initiative on behalf of his inland relatives. Hari Matetoto of Ngati Urunumia helped him decide on the boundaries, and it was arranged that the rent be paid in the first instance to Heni Te Ringawhiri, representing Ngati Urunumia.⁶⁹

Why then, were Ngati Urunumia so anxious to take payment? Their claims to Waiwhatawhata derived not from Urunumia, but from two other sources. They pointed, first, to the ancestor Puha, arguing that the land had been shared among Puha's children Te Mangakauri, Taihakurei and Toea. Taihakurei's portion passed to his son Rauakitua, who married Urunumia's daughter Whakikauia. Ngati Urunumia traced their ancestral title from this marriage, claiming from Rauakitua and Whakikauia, under the mana of Puha. Moreover, they argued, the marriage affected Whakikauia's whole family; her two brothers Matatini and Te Korae went as a result to live on Rauakitua's land.⁷⁰

69. Evidence of Hari Matetoto, 13 August 1888. MLC, Otorohanga Bk. 4, (Rohepotae), Otorohanga Block, p.266.

70. Hari Matetoto, ibid., pp.261-263, 266, 276.

Table 30. Showing why Te Ringawhiri gave part of Ormsby's rent (in cattle) to Hari Matetoto of Ngati Urunumia, and why his receipt of payment upheld the claims of Puha's descendants to the land.⁷¹

| | | | |
|----------------|---|------|------------------------------------|
| Raka | | | |
| Puha = Parerau | | | Kumekume f. |
| Te Mangakauri | Taihakurei | Toea | Takotohau |
| | Rauakitua = Whakikauia (daughter of Urunumia) | | Hinetaonga = Waiora I |
| | Te Ipurape = Tutunui | | Tumokemoke |
| | Te Makawe | | Waiora II |
| | Te Arataura | | ⁺ Haupokia = Te Rangina |
| | Te Makawe II | | Hari = Te Makawa II |
| | Hari Matetoto | | Hari Matetoto |

⁺The whakapapa also shows one way in which Haupokia was related to Ngati Urunumia, though this line would not have entitled him to a share in Ormsby's rent. Kumekume's land was at Mokau and she had no established rights at Waiwhatawhata.

The second Ngati Urunumia take was said to be a gift - because of a curse uttered against their ancestors by Papatu. Who are those pokokohua (boiled heads) who come here in the eighth month of the year? he asked, unaware that he was speaking of the chiefs Uruhina and Ruahinemiaopetini, sons of Rungaterangi. And when he discovered who it was he had injured, he gifted land to them at Whakariuwaka as utu.⁷² At the time of Ormsby's lease, therefore, descendants of Uruhina and Ruahinemiaopetini took payment for the curse. Te Ringawhiri, Haupokia and Te Whanonga all shared in the rent as descendants of Uruhina's grandchild Te Korae.⁷³

71. Taken from whakapapa given by Patupatu Keepa, ibid., attached to p.220, and Hari Matetoto, ibid., attached to p.262. For a discussion of Puha's connection with the land, see p.95-96 above. (Hari Matetoto belonged to Ngati Hinekino as well as to Ngati Urunumia.)

72. Hari Matetoto, ibid., p.262; Wiari Te Naunau, ibid., pp.311, 344. Pokokohua (upokokohua) was an extremely insulting epithet. It is not clear who Papatu was, though he was said to be a descendant of Maniapoto.

73. Hari Matetoto, ibid., p.277; Ngatoko Kupe, ibid., p.171; Patupatu Keepa, ibid., p.235.

Table 31. Showing the entitlement of certain of Uruhina's descendants to part of Ormsby's rent.⁷⁴

| | | |
|------------------------|----------|---|
| Maniapoto | | |
| Te Kawairirangi | | |
| Rungaterangi | | |
| Uruhina = Taongahuinga | | |
| Te Kawa II = Urunumia | | |
| Whakikauia = Rauakitua | Matatini | Te Korae |
| | | Te Huetu |
| | | Te Rangina = Haupokia [via Te Huetu II] |
| | | Hari [Te Ringawhiri] |
| | | Paraone |
| | | Te Kapa Te Whanonga |

Te Whanonga was also entitled to payment by virtue of his descent from Maniaopetini:⁷⁵

Table 32:

| | |
|----------------------|---------------|
| Maniapoto | |
| Te Kawa | |
| Rungaterangi | |
| Maniaopetini | |
| Taitengahue | |
| Maniauruahu = Oneone | |
| Tukehu | |
| Te Kawa II | Parepapa |
| | Huia |
| | Te Waipounamu |
| | Te Whanonga |

74. Compiled from whakapapa given by Wiari Te Naunau, ibid., attached to p.310, and Hari Matetoto, ibid., attached to p.262. No whakapapa was given for Te Ringawhiri, who had died by the time the Court sat, and was childless; her father, however, was Te Huetu II.

75. Part of whakapapa given by H. Haereiti, ibid., attached to p.372.

Te Kotuku, who got another of the cattle from Te Ringawhiri, traced his claim from Uruhina through Matatini:⁷⁶

Table 33.

| | |
|------------------------|-------------------------|
| Uruhina | |
| Te Kawa II = Urunumia | |
| Whakikauia = Rauakitua | Matatini |
| | Te Manumaharanui |
| | Kihi |
| | Kaikore |
| | Te Koroheke |
| | Te Kotuku |
| | Rangituia = Te Whanonga |

Or, as Ngati Hinekino argued, his claim descended from Hinekino through Matatini's wife - and he took his payment as their representative.

Table 34. Showing the Ngati Hinekino explanation for Te Kotuku's share in Ormsby's rent.⁷⁷

| |
|-------------------------|
| Maniapoto = Pakurarangi |
| Hinekino |
| Toreanu |
| Tunahore = Matatini |
| Te Manumaharanui |
| Kaikore |
| Te Koroheke = Te Irihau |
| Te Kotuku |

One other chief collected payment for the curse, and his rights were so well established that he made his own arrangement with Ormsby. And while there were those who denied Haupokia's claim, nobody challenged that of Te Kawa Matenga. Te Kawa was descended from both Maniaopetini and

76. Part of whakapapa given by Hari Matetoto, ibid., attached to p.262.

77. Part of whakapapa given by Patupatu Keepa, ibid., attached to p.220. See also evidence of Hari Matetoto, ibid., p.266, though Matetoto's explanation of this point is confused.

Uruhina; more exactly he inherited the mana of Te Rangituatea Kingi of Ngati Hinewai and Ngati Parewaeono. And it was said that he took payment both for the gifted land, and for the ancestral Ngati Hinewai land to the north of the Ngati Rangatahi boundary at Waiwhatawhata, which Ngati Hinewai, Ngati Parewaeono and Ngati Rungaterangi claimed from Maniapoto's cousin Matangi.⁷⁸ Not all Ngati Hinewai, however, were willing to acknowledge the significance of Te Kawa's collection of the rent. Those who had intermarried with Ngati Kaputuhi denied all knowledge of the curse and the gift, and pointed out that Ngati Hinewai payment had also been collected by Te Kawa's cousins Pani Waka and Taramoa.

Table 35. Showing the explanation given by one section of Ngati Hinewai as to why Taramoa received part of Ormsby's rent.⁷⁹

| | |
|------------------------------------|---------------------|
| Maniapoto | |
| Te Kawa | |
| Rungaterangi | |
| Maniaopetini | |
| Taitengahue = Kaputuhi f. | |
| Maniauruahu = Oneone f. (2nd wife) | |
| Tukehu = Waikohuru | |
| Te Kawa II | |
| Te Rangituataka | |
| Te Kawa III | Te Ririorangawhenua |
| | Te Huanui |
| | Reupene Taramoa |

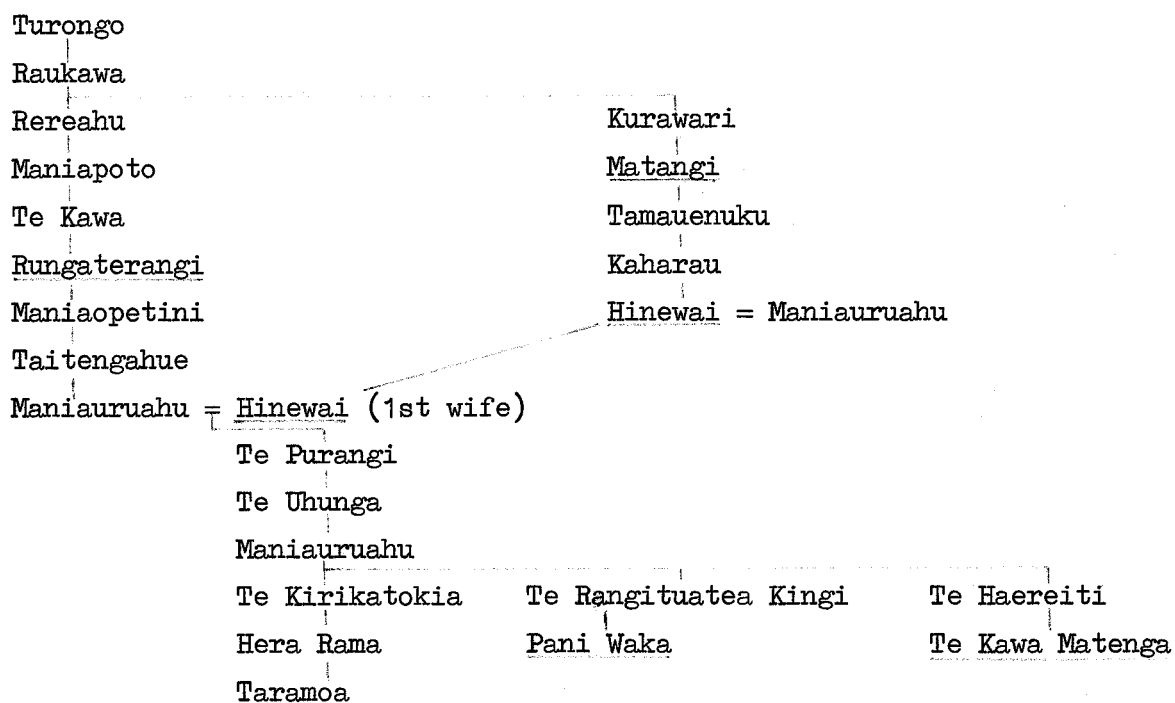
This was an argument, however, which was not easy to sustain. For Pani Waka was the only Ngati Hinewai representative (apart from Te Kawa)

78. Ngotoko Kupe, *ibid.*, pp.162, 180; Hari Matetoto, *ibid.*, pp.266, 269 277; Wiari Te Naunau, *ibid.*, p.320.

79. Taken from whakapapa given by H. Haereiti, *ibid.*, attached to p.372. See also evidence of H. Haereiti, *ibid.*, pp.395-396.

who had made an arrangement with Ormsby for payment, and Taramoa could only have received his cattle from her. Pani Waka took payment for the land of Matangi, Hinewai and Rungaterangi; was it likely that the share she gave to Taramoa was not on the same account?

Table 36. Showing how receipt of Ormsby's rent by Te Kawa Matenga, Pani Waka and Taramoa was said to have reinforced Ngati Hinewai claims to the land of Matangi and Rungaterangi.⁸⁰



And by way of clarifying the issue beyond doubt, Pani Waka had given yet another bullock - a bullock uncompromisingly named Waiwhatawhata, to represent that land - to Hauauru. How could she have indicated more explicitly her acceptance of the rent in her capacity as Ngati Hinewai proper? for Hauauru's line came not only through Parewaeono, but also through Rauramarama, Hinewai's son.

80. Taken from whakapapa given by Wiari Te Naunau, ibid., attached to p.310. See also evidence of Toi Maniauruahu, 12 September 1888. MLC, Otorohanga Bk. 5, (Rohepotae), Otorohanga Block, p.14.

Table 37. Showing how Ngati Hinewai claims to Waiwhatawhata were reinforced by Pani Waka's and Hauauru's receipt of Ormsby's rent.⁸¹

| | | |
|-----------------------|------------------|----------------------|
| Kurawari | | |
| Matangi | | |
| Tamauenuku | | |
| Kaharau | | |
| Hinewai = Maniauruahu | | |
| Parewaeono = Te Korae | Rauramarama | Te Purangi |
| Korota | Te Rangituatea | Te Uhunga |
| Kiri = Ngahue | Ngarue = Kiri f. | Maniauruahu |
| Hinewai II | Hinewai | Te Rangituatea Kingi |
| Poutama te Nakahi | Poutama | Pani Waka |
| Hauauru | Hauauru | |

Yet Ngati Rangatahi - who had their own claims at Waiwhatawhata - gave a rather different explanation of Pani Waka's part in the rent collection. She and her husband Horima, they declared, had in fact taken their rent! Who, after all, had put Ormsby at Waiwhatawhata in the first place? The responsibility for the pakeha, they averred, lay with Ngatokowaru of Ngati Rangatahi. Ngatokowaru was dead when Ormsby began to pay rent, but his relatives Pani Waka and Horima took it for him - as Ngati Rangatahi.

Table 38. Showing the connection by virtue of which Pani Waka and Horima were said to represent Ngati Rangatahi.⁸²

| | | | |
|-------------------|--------------------------|--------------------|----------|
| Rangatahi | | | |
| Tukawekai | Tohiraukena | | |
| Ue | Te Whatu | | |
| Te Rangikaiwhiria | Hinepare Kupe = Parepupa | Hinehape | |
| Parepupa = Kupe | Te Matau | Te Kauwhata | Hurimano |
| Te Kauwhata | Ngarangi | Kupe II | |
| Ngatokowaru | Hinepare | Horima = Pani Waka | |
| | Pani Waka | | |

81. Taken from whakapapa given by Wiari Te Naunau, 23 August 1888. MLC, Otorohanga Bk. 4, (Rohepotae), Otorohanga Block, attached to p.310. See also evidence of Hauauru, 24 April 1888. MLC, Otorohanga Bk. 3 (Rohepotae), Kopua-Pirongia-Kawhia, p.125. Cf. Hauauru's receipt of the bullock Te Apunga, as a descendant of Tukitaua, see p. 133 above.

82. Whakapapa given by Ngatoko Kupe, 19 July 1888. MLC, Otorohanga Bk. 4, (Rohepotae), Otorohanga Block, pp.159-160. See also Ngatoko Kupe, ibid., pp. 161, 179, 188; H. Haereiti, ibid., p.387. Ormsby's wife was a relation

Horima, finally, was a descendant of Toea, daughter of Puha, and Maniapoto's son Te Kawa. And as Toea's claims to the land derived not - as upholders of Puha's mana suggested - from her brothers Te Mangakauri and Taihakurei, but from her husband Te Kawa, Horima collected rent for the Ngati Maniapoto hapu Ngati Taiwa, the descendants of the marriage.

Table 39. Showing why Horima took payment for the land of Toea and Te Kawa.⁸³

Maniapoto
 Te Kawa = Toea
 Te Tatahi
 Whatapakoko
 Turuhua
 Te Awaroa
 Te Ahiamatea
 Paretoti
 Kupe
 Horima

John Ormsby, for his part, had stood aloof from these disputes as to the origins and nature of the claims on his rent. With a shrewdness born of growing intimacy with the workings of the society he had married into, he refused to make any decision himself as to who should receive payment. He made over one head of cattle each year, for all his land, as satisfaction for the entire body of claimants; and left them to overcome the problems of distribution themselves.⁸⁴ As a result, he enjoyed undisputed usage of his run.

83. Ngatoko Kupe, ibid., pp.161, 165; Hari Matetoto, ibid., p.281; H. Haereiti, ibid., p.396. Taiwa was a descendant of Maniapoto and Te Kawa.

84. Hari Matetoto, ibid., p.283. It was said that Te Ringawhiri received payment on eight occasions.

Not every settler, however, was as fortunate as Ormsby. Many years later, a certain Major Swindley made a costly blunder when he leased land at Waimana, some twenty-five miles from Opotiki. Unwittingly, he was caught up in a dispute over claims between Upokorehe (the tangata whenua) and their stronger opponents, Tuhoe.⁸⁵ Tamaikowha, chief of the Tuhoe who had inhabited Waimana since their intrusion some forty years before, decided to use the lease as a test of his strength on the land; and the event proved that his confidence was well-founded.

The trouble which resulted in the arrangement of a lease started in fact as a family quarrel among the Ngati Raka of Tuhoe. One party began to run cattle on disputed land, and the other promptly considered retaliation by having the land surveyed. A Tuhoe committee, evidently bent on keeping the peace, ordered the cattle removed.⁸⁶ But at this point, it seems, while Tuhoe were at loggerheads, Upokorehe seized their chance and negotiated a lease on their own account with Major Swindley. They received a payment of seventy pounds; and they were unable to keep any of it. Tamaikowha of Tuhoe took the matter into his own hands. 'When I heard they had taken this money I went round and collected the whole sum from them, and returned it to those who had paid it.'⁸⁷

Nothing could have been more insulting to the Upokorehe. Had Tamaikowha merely redistributed the money among his own people, Upokorehe could still have claimed that they had initiated the deal and had received the payment first. They would have been seen to have some rights to the land. Tamaikowha, however, refused to concede them any; by returning the money to the pakeha he rendered the transaction null and void. Later, he negotiated his own lease of

85. For the origins of this dispute, and an explanation of the Tuhoe take to Waimana, see pp.99-102 above.

86. Mohi Tai, MLC, Waimana Block (Re-hearing), p.327.

87. Erueti Tamaikowha, ibid., p.381; Mohi Tai, ibid., p.329.

the land, and consented to its survey, and to its passing through the Court. Major Swindley's mistake cost him one hundred pounds: the price of Tamaikowha's agreement to the new lease, and the price of his displeasure at being overlooked in a matter concerning his land. 'Nobody offered to say I was wrong; or demanded the money back from me', he taunted his opponents later.⁸⁸ There was indeed little enough they could say in reply. There are few recorded cases in which a pakeha actually had his money returned to him. Usually a party whose rights were disputed were either strong enough to retain possession of the payment, or sufficiently satisfied with their initial business that they willingly passed the payment on. It took a chief of great mana, and an opposition very unsure of their rights, before such a humiliation could be inflicted.

* * * * *

Despite the spread of literacy and the introduction of the land deed, Maori ideas of proving and maintaining claims - whether to the use of particular resources or of actual tracts of land - remained unchanged during the whole of the nineteenth century. The Premier of New Zealand himself, Sir Robert Stout, was politely elbowed out of the limelight when in April 1885 he arrived at Alexandra (now Pirongia) to turn the first sod of the Main Trunk Railway beyond King Tawhiao's aukati at the Puniu River. It was a glorious day for the ceremony; hundreds of spectators had come from Auckland by special excursion train, the Mayor and members of both houses of the General Assembly were present, and music was provided by the Te Awamutu brass band. As the cheering resounded, the great Ngati Maniapoto chief Wahanui cut three sods and placed them one by one in a waiting wheelbarrow,

88. Erueti Tamaikowha, ibid., pp.381-382.

and the Premier wheeled the barrow along some planks, and tipped it at the end.⁸⁹

→ The Premier, of course, should have cut the sods. It was thought that Tawhiao, or Rewi Maniapoto - both of whom had done so much towards the opening of the King Country - might have wheeled the barrow. But Ngati Maniapoto, very wary of Government designs on their land, were determined that Stout should have no grounds for a subsequent Government claim to the King Country; and they did not want him to put a spade to their soil.⁹⁰ For the same reason, they seem not even to have considered Tawhiao. And Rewi Maniapoto - whose hapu Ngati Paretekawa had claims to the land at Puniu - disqualified himself after he had been challenged by his opponents Ngati Ngutu. At a meeting of Ngati Maniapoto elders held a few days before the ceremony, Hotu of Ngati Ngutu had reminded them of a place named Te Ate o Tangaroakino, where Tangaroakino's mokai (pet) - a ngarara - had lived, and where the bones of his ancestor Huiao had been placed. When Hotu had spoken, Rewi declined to act. It was for Hotu, he agreed, to turn the sod. Hotu, triumphant, turned to Wahanui: "You do it as my workman" he said.⁹¹

89. G.T. Wilkinson to the Under-Secretary, Native Department, 13 May 1885. AJHR, 1885 D No. 6, 'The North Island Trunk Railway', pp.2-3.

90. At a meeting with Stout the day before the ceremony, Ngati Maniapoto had requested that one of their own people turn the sod, in place of the Premier. Ibid., p.1.

91. Evidence of Erueti Taira (?Tarei), 8 May 1889. MLC, Otorohanga Bk. 6, (Rohepotae), Kakepuku-Pokuru Block, p.237. See also evidence of Reihana Wahanui, ibid., pp.239-241, and H. Tikitini, ibid., pp.228-229.

PART 2. Competitive Land Selling

'it is exactly like playing a difficult game of chess
against an opponent whom you rather suspect to be a
better player than yourself ...'

G.S. Cooper (land purchase agent) to Donald McLean,
19 June 1853. McLean Papers, Folder 227.

INTRODUCTION

THE EXPANSION OF A COMPETITIVE SOCIETY

The early years of the nineteenth century, when whaling ships discovered that they could provision cheaply and safely in New Zealand harbours, saw the first substantial Maori contact with the outside world. Many Maori served on foreign vessels, sailing to Sydney, the Pacific, or even to England. Goods of foreign manufacture began to trickle into the country; some pakeha settled on the coast. The Nga Puhi chief Ruatara was perhaps the first to see the possibilities of the new civilisation. He brought missionary tradesmen to the Bay of Islands, and with them wheat and tools. He decided to lay out a town where his people might live, surrounded by their fields of grain. He wanted his children to be literate; he hoped to learn the art of lawmaking. But hardly had his schoolteacher and his craftsmen got their houses up, when Ruatara died, and with him his radical hopes for the future.¹

The initiative passed instead to his relative, the arch-conservative Hongi, whose ambitions were limited by the existing competitive structure of society. Armed with the introduced pig and the Solanum potato, Hongi led the Bay chiefs in the reactionary course of ministering to the needs of pakeha whaling and trading ships, which after 1820 called at the Bay of Islands in increasing numbers.² The more food he could grow, the more trade goods

1. Marsden, Letters and Journals, pp.67-70, 121-122. Ruatara died about 1 March 1815.

2. On shipping see Kathleen Shawcross, 'Maoris of the Bay of Islands, 1769-1840: A Study of Changing Maori Responses to European Contact', M.A. Thesis, University of Auckland, 1967, pp.248-251. Shawcross's estimate of the number of ships visiting the Bay between 1820 and 1827 seems conservative; Lesson, for instance, writing in 1824, referred more than once to the amount of English and American shipping in the Bay. Sharp (ed.), Duperrey's Visit to New Zealand, pp.59, 93.

he would acquire; and the greater would be his status and that of his people.

But the Maori economy was simply not geared, at the time, to growing crops in the quantity required by the visitors. In order to supply his market, Hongi had therefore to import labour. In a series of raids on the Thames, Rotorua, the Waikato, Kaipara and the East Coast, he and his fellow chiefs brought back hundreds of captives, year after year. And the new taurekareka were set to work to provide for the needs of the pakeha. They cleared the land, planted and harvested the potatoes, tended the pigs, and administered to the sexual needs of the visitors.³ Potatoes, fortunately, grew easily, producing two crops a year; and there was no need for the elaborate tapu which had prevented taurekareka from assisting with kumara cultivation.

As Hongi's wealth grew, so also did his influence. He established exclusive rights to the missionaries and their goods, and they found themselves unable to extend their settlement to any other district.⁴ Instead of teaching their skills to the Maoris, so that they built their own wooden houses and glazed their own windows, the settlers merely handed over the goods they owned or made themselves. They provided Hongi with agricultural implements, hatchets and fish-hooks, blankets and tobacco. Whether any of these goods were of actual benefit to the community is of course not the point; what mattered was that Hongi's people had far more of them than anybody else.

And, of course, Nga Puhi enjoyed a virtual monopoly of the trade in muskets and powder. In themselves, the muskets were hardly lethal weapons.

3. Ibid., pp.55, 86-87, 104. The terms 'slave' and 'captive' seem inappropriate; a Maori term, perhaps, is preferable. Taurekareka were not confined in any way; by virtue of their loss of mana they had in effect become stateless persons, who stood outside their own kin group and had no desire to return to it.

4. See, for instance, the complaints of other Nga Puhi chiefs against Hongi; Marsden, Letters and Journals, pp.204-206.

Though the Nga Puhi were said in 1821 to own about 500 stand of arms, 'a great many of these firelocks that have been received from the whaling vessels', one observer recorded, 'are of the oldest and worse description'.⁵ Not only that, but their owners were so delighted with the actual construction of the guns, that they spent a great deal of time taking them apart and cleaning them, with the result that the parts became loose and functioned even less efficiently.⁶ But this is not to underestimate the psychological importance of the muskets. Their great contribution was to Hongi's mana, such that his name itself spread terror among his victims. Even Waikato-Maniapoto were sensationally defeated in 1822, not because they fought with inferior weapons, but because the large numbers of people crammed into Matakītaki pa panicked and behaved irrationally. Hongi terrified them; and when the attack took place they rushed out of the pa and trampled one another to death in the deep ditches surrounding it.⁷

The reason why they were terrified - and why Hongi was able to wreak such havoc on the southern tribes - was because Nga Puhi fighting was on a new and totally unprecedented scale. As Hongi's fame grew at home, he mustered larger taua, of up to several thousands of men.⁸ There was plenty of labour at home to do the fishing and the cultivation, and no need therefore for men to stay behind. On the other hand, there was little point in their going. Hongi was not interested in acquiring new territory, or planting settlements, or in imposing political subjection; all he wanted were the prisoners, valuable property, prestige for himself and his descendants. And

5. Ensign McCrae, Evidence, Historical Records, Vol. 1, p.539.

6. Earle, Narrative, pp.92-93.

7. S. Percy Smith, Maori Wars of the Nineteenth Century: The Struggle of the Northern against the Southern Maori Tribes prior to the Colonisation of New Zealand in 1840 (Christchurch, 1910), pp.228-230.

8. Hongi of course was not the only Nga Puhi chief who led raiding expeditions at this time; Pomare, Te Wera Hauraki and Te Morenga all took taua to the south. But Hongi led the great raids of the early 1820s, and he stands out as the most determined and successful of the Bay Chiefs.

because the fighting parties were far too large for their purpose, they became merely destructive. They razed villages, destroyed cultivations, and killed hundreds of people. They were kept happy with women and with feasts of human flesh. To attribute such self-indulgence to the need for vengeance is altogether too generous. It was rather large-scale raiding, aimed simply at improving Hongi's competitive capacity, and at the same time destroying that of other people.

Hongi's achievements came to rankle deeply in the bosom of other tribes, who were humiliated that Nga Puhi should enjoy such undisputed mastery of the pakeha. They, too, must now have goods and muskets and taurekareka; and reputations must be won for their own warriors. All over the country they set about the business with vigour. Some, of course, were unlucky. The Thames people, who sold timber to the pakeha, and provisioned his ships, bore the full brunt of Hongi's anger. And it seems likely that his devastation of Ngati Whatua around Kaipara was prompted by jealousy of their superb kauri forests, so eagerly sought after by traders. At Hokianga, however, other hapu of Nga Puhi were able to exploit this resource undisturbed, and with great profit. Further south - in the wake of defeat - Waikato on the west coast, and Arawa on the east began to scrape flax for export, raiding their neighbours in their turn to secure the necessary labour. And Te Rauparaha, most ambitiously of all, led a migration of his tribe south from Kawhia which was joined by Ati Awa of Taranaki and all Ngati Raukawa. At Cook Strait, that other centre of pakeha activity, he traded with the shore whalers, and established an economic stranglehold in the southern regions.

Such frenetic commercial activity, however, soon wore itself out. Not only was there flax to be scraped but - because people congregated around the flax swamps and the trading posts - there were hundreds of mouths to be

fed. At Te Tumu and Maketu flax was scraped day and night to fill Tapsell's 120 foot long shed, where it awaited shipment to Sydney. Tons of fish were caught each day, and much of it dried and sent inland in return for potatoes, carried 'by hundreds of women, like a string of pack-horses'.⁹ But after 1830 the flax trade rapidly declined. In 1831, it was said, some thousand tons of shipping might be cleared at Port Jackson within two weeks; eight years later, scarcely a hundred tons were cleared in six months.¹⁰

Nor is it surprising that the timber trade died a swift death. Getting the spars out was heavy work, which was never popular. For, as Yate explained:

The finest trees grow in the deepest ravines; and the underwood is so strong, and the ratan or supple-jack so netted from branch to branch, and interwoven with the underwood, as to prevent either ingress or egress ... Then again ... the spars must be dragged up three or four hundred yards of very steep hill, rolled down the opposite side, and then, perhaps, have the same process to undergo, before they arrive at one of the main branches of the river, leading to the tide; and even then they must await the contingency of a flood, for floating them down to the harbour ...¹¹

Trade, in any case, was no longer so profitable. As the possession of captives, of muskets and goods became widespread, the need for such incessant labour became less pressing. Hongi died in 1828, and there was no one to replace him - or rather, perhaps, no one who wished to replace him. Men had not been accustomed to behave in that manner before and - once the initial excitement had passed - there appears to have been almost a general feeling of relief that a period of unrestricted warfare was over. The arrival of the Williams brothers at the Bay heralded a new era, in

9. James Cowan, A Trader in Cannibal Land; the Life and Adventures of Captain Tapsell (Dunedin, 1935), p.74.

10. Polack, New Zealand, Vol. 2, pp.287-288. Polack's remarks are borne out by the official figures. See E.J. Tapp, Early New Zealand; a Dependency of New South Wales 1788-1841 (London, 1958), Appendix 10, p.178.

11. Yate, Account of New Zealand, pp.33-34.

which the missionaries, because of their personal qualities and education, gained the respect of the Maori for the first time. The printing press followed soon after, and the Maori - like every non-literate people - turned with fascination to the written word.¹² In Christianity the competitive spirit was released with new vigour. Before long, every hapu had to have its books, its church, its teachers, its missionary and, finally, its tally of baptisms. The Wesleyans, who staged love feasts, were overwhelmed with descriptions of conversions, as one sinner after another stood up to recount his experience in lurid detail.¹³ In the midst of this determined embrace of the new religion, the missionaries suffered one major disappointment: there was little, if any, evidence of actual Christian awakening. 'They attend to the outward ceremonies of Christianity' wrote one missionary of his congregation, 'but they appear to be destitute of the religion of the heart ... A carelessness for the things of God and a covetousness for worldly things seems to continue with them even to the gates of death'.¹⁴

And some even suspected that adoption of Christianity had been but a fad, which they saw soon giving way before a new enthusiasm. For around 1850 - some thirty-five years after Ruatara planted the first seed at the Bay - wheat growing at last became generally popular. The whalers had needed potatoes; the settlers - in Australia as well as in New Zealand - wanted bread. The Maori growers adapted to market demand, and began to buy schooners to transport their goods to the towns.¹⁵ Soon, however, they

12. On the impact of literacy in Polynesia generally, see G.S. Parsonson, 'The Literate Revolution in Polynesia', The Journal of Pacific History, 1967 2: 39-57.

13. See, for instance, James Buller to General Secretaries, 30 April 1841, MMS, p.6.

14. Gideon Smales to General Secretaries, 24 March 1841, ibid., p.7.

15. J.W. Stack reported that the East Cape people had 'quite a fleet' in 1853, in which they took their wheat to Auckland, for export to Melbourne. Stack, Early Maoriland Adventures, p.183. In 1857 the East Cape area supplied traders with 46,000 bushels of wheat. W.H. Oliver and Jane M. Thomson, Challenge and Response; A Study of the Development of the East Coast Region ([Gisborne], 1971), p.55.

thought of grinding their own wheat, and hired pakeha to build water mills. And a hapu came to feel as naked without a mill as it did without a chapel. Mills were built everywhere - far more of them, as Ashley bemoaned, than were necessary: 'Each little petty Tribe must have a Mill ... Two good Mills would grind all the Wheat on the Waipa, and Waikato rivers and there are now Six already erected ...'¹⁶ To pay for the mills and ships, they grew more vegetables, kept more pigs, worked for wages and, as before, ate little of what they produced themselves. 'Their wheat was all reserved,' wrote T.S. Grace; 'they never thought of eating the smallest quantity of it. I have seen a family starving with a house full of wheat, all of which was reserved in part payment for an old, worthless horse!'¹⁷

There was of course one other source of revenue: the payments received for the sale and lease of land. The early transactions had yielded guns, tobacco, blankets, hatchets, tea and sugar - the goods which, at the time, it was important for men to own. By the 1850s the sellers demanded cash and stock and ploughs and horses. And as no hapu could ever afford to be left behind, some were forced to sell to gain the new symbols of wealth. Yet even as the process gained momentum, there were chiefs who saw the appalling dangers of alienating land at the very time when the Maori was beginning to put it to the same use as the land-hungry pakeha. Sheep and cattle needed room. Maori stock needed more room than most, because the Maori - who still ran shy of fencing - protected his crops by grazing the animals as far away from them as possible.¹⁸

16. B.Y. Ashwell to the Secretaries, 21 July 1859, Letters and Journals of the Rev. Benjamin Y. Ashwell of Kaitotehe, to the Church Missionary Society, 1834-1869 (typescript copies), Hocken Library, Vol. 2, pp.313-314.

17. [T.S. Grace], A Pioneer Missionary among the Maoris 1850-1879. Being Letters and Journals of Thomas Samuel Grace, ed. S.J. Brittan, G.F., C.W., and A.V. Grace (Palmerston North, [1928], p.63.

18. John Warren to [the Secretary], 1 November 1853, MMS, p.1.

Ngati Porou, whose district was too isolated to attract early settlement, were one tribe who survived the years of temptation to become highly successful sheep farmers. But others were less fortunate. An attempt to have all remaining Maori land placed in the protective custody of a central authority - the newly created Maori king - and to endow the King's council with administrative and judicial functions, was a failure. The very competitiveness which - by virtue of the ever-increasing outlets available to it - had been so highly developed over the last forty years, made it impossible for chiefs to transfer their allegiance overnight from the hapu (their kin) to the King (the representative of an embryonic state). Those hapu who were willing to consider the matter took their decision for or against the King on the only grounds which made sense to them: their relationship to the King's people, to that of other hapu who had already committed themselves, and the competitive advantage which might be gained or lost thereby. Even among the Waikato, whose ariki was elevated to the kingship, there were a number of hapu who would have nothing to do with him; and in other tribal areas there were only a few who would. It was no way to run a boycott, or to organise a strong political opposition. And while the movement foundered, the settler Government, seizing its opportunity, labelled the King an arch-rebel against the Crown, and invaded and confiscated much of the land of his supporters.

It is of course idle to speculate how different the outcome might have been had Hongi been a man of political ambition. At an early date, he had taken the first steps towards achieving power. Though some of his allies were independent enough to choose, for instance, not to participate in a particular battle, he had created a smaller band of warriors who would follow him in anything; for he had found the means of rewarding them with spoil. But he had no idea of how to proceed to the next step. He was

strong enough to have refused to submit to the demands of utu; he might have forced the submission of other Nga Puhi chiefs. He might have created a warrior élite, have trained a group of functionaries from among his taurekareka. But he could see no further than the carving of his own niche at the top of the competitive structure. Hongi, with the means at his disposal to change society, lacked the vision - and, indeed the time. And his failure to show his countrymen the stuff that political authority was made of, left each hapu to face the pakeha on their own, weak because the continuing struggle for social and political pre-eminence among themselves was far more absorbing than any threat the pakeha might pose.

CHAPTER 6

TE RAUPARAHĀ'S TAKE RAUPATU: THE ORIGINS

OF CONTENTION IN THE SOUTH

At the end of 1819 the Ngati Toa chief Te Rauparaha, with thirty or forty of his men, joined a taua of Roroa and Hokianga Nga Puhi on its way south. It is said that the taua was got up as the result of an invitation by the Ngati Tama chief Te Puoho, after his daughter - and hence her people - had been insulted by her Whanganui husband.¹ But it seems unnecessary to attempt a sober explanation of the taua's activities. It was, in essence, a vigorous sight-seeing expedition, which took nearly a year to travel overland down the west coast through Taranaki and Whanganui to Whanganui-a-Tara (Wellington harbour) and the Wairarapa, and back by the same route. Nga Puhi killed and ate and took prisoners as they went, attacking people with whom they had no obvious quarrel, creating panic by the surprise use of the musket. At Heretaunga (the Hutt River) they were three weeks feeding on the bodies of their victims, and even then they could not finish; the rest was preserved as huahua to take home.²

It was, too, at the very south of the island - standing one day on the cliff at Omere - that they saw a ship sailing toward Raukawa (Cook Strait). Patuone, it is related, turned to Te Rauparaha. 'E koro', he said, 'to kainga nohoia ... e mara, to kainga, he iwi rangatira koe,

1. Evidence of Matene Te Whiwhi, 3 December 1872. MLC, Otaki Bk. 1, Kukutauaki Block, p.135. Evidence of Hone Kaora, 25 September 1886, W.G. Mair Papers, University of Auckland Library, Vol. 7, Rohepotae Block, p.67.

2. For a full account of the expedition, see Smith, Maori Wars, pp.96-128.

mehemea ka po koe ki te Iwi ra, he Iwi atawhai koe, he Iwi atawhai te Pakeha.' (There is a home for you ... you are a great people, make your home here; you are well-disposed, the pakeha are a good people to have for friends.)³

Why Patuone should have made such an apparently generous offer is not quite clear. It might well be, as some accounts would have it, that the Hokianga Nga Puhi were contemplating a migration themselves, and that they either changed their minds, or were forestalled by Ngati Toa.⁴ But Te Rauparaha, as his descendants described it later, returned home to Kawhia with a vision. He saw Ngati Toa established in a new land, with as many pakeha and guns and goods as Nga Puhi had in the Bay of Islands. He saw them rich besides in traditional resources: 'the greenstone, and the plenitude of food - as also of preserved foods, eels, fish, and so on - of the "huia", of the crane ...' and the albatross (whose tail-feathers were so prized by chiefs for their hair). 'Another thing was the great size of the "totara" trees for the building of canoes to sail over to that other island to conquer the people there.' For he thought above all of the other island: "the [plenteous] home of the greenstone, which [ennobles] the rank of man".⁵ Greenstone came only from the west coast of the South Island. Whether by trade from the south, or by the arduous endeavours of small parties of northerners, travelling through mountainous,

3. 'History of the conquest of the Middle Island of New Zealand by the Ngatitoa tribe ...', Maori Manuscript 103, Sir George Grey Collection, Auckland Public Library, pp.166-167. Other accounts credit Patuone's brother Waka Nene with the speech.

4. Wiremu Naera Te Kanae, 'The History of the Tribes Ngati-Toa-Rangatira Ngati-Awa-o-Rungao-Te-Rangi and Ngati-Raukawa. Having special reference to the doings of Te Rau-Paraha', trans. George Graham, Hocken Library (typescript), p.5.

5. 'Life and Times of Te Rauparaha by his son Tamihana Te Rauparaha', trans. G. Graham, Hocken Library (typescript), p.8.

icy and hostile, if sparsely populated country, it reached the north only in small quantities.⁶ To control its export would be to command enormous prestige; but it would be a start to tap the existing stocks of the southern tribes.

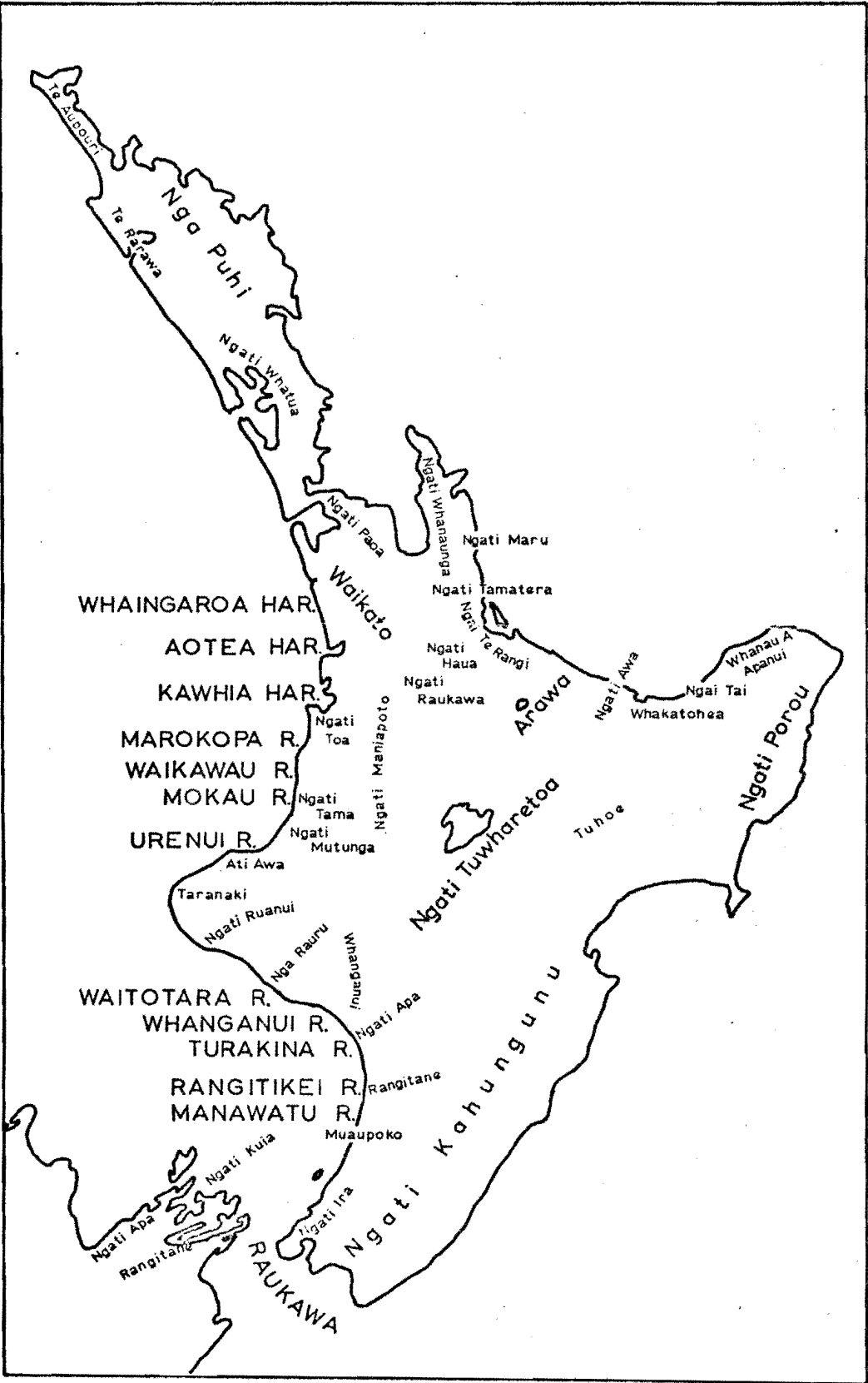
Te Rauparaha's plan, then, was an ambitious one. It aimed at nothing less than the brushing aside of the southern peoples on both sides of Cook Strait, and the establishment in their territories, with rights of usage to all their resources, of his own people. The scheme itself, perhaps, was not original; but Te Rauparaha was the first chief actually to embark on its execution, to commit himself irrevocably to its success. Only nine months after he returned from the south, a very different party set out from Kawhia: not fighting men alone, but women, children and old people, perhaps between 250 and 300 people in all.⁷ Ngati Raukawa, at the time, were contemplating the conquest of Ahuriri (Hawkes Bay) and Mahia for themselves; they went about it in an orthodox manner, with successive war-parties - and failed.⁸ Te Rauparaha took a terrible risk and succeeded.

It is perhaps a moot point whether he need have gambled so heavily. Like their neighbours, the Tainui peoples of the Whaingaroa (Raglan) and Aotea harbours, Ngati Toa had for some years been threatened by a

6. See Stack's description of the difficulties involved, in W.T.L. Travers, The Stirring Times of Te Rauparaha (Chief of the Ngatitōa); also J.W. Stack, The Sacking of Kaiapohia (Christchurch, [1906?]; reprinted Auckland, n.d.), pp.188-189. Nephrite (pounamu) occurs in the Taramakau River, in Douglas Creek (a tributary of the Haast River, and Caples Valley in north-west Otago.

7. Estimates of the size of Te Rauparaha's heke vary from Kelly's 1500 (Tainui, p.339), which is much too high, to Tamihana Te Rauparaha's 200, including 140 warriors ('Life and Times', p.13) which seems a little out of proportion. My own estimate is probably on the generous side.

8. Ngati Raukawa fought in Hawke's Bay in joint expeditions with Ngati Tuwharetoa, Ngati Maniapoto, and Ngati Maru, notably in about 1822 and 1824. They occupied Te Roto-a-Tara pa at Te Aute, in the hope of holding the district for themselves, but were defeated and expelled by Ngati Kahungunu. See Smith, Maori Wars, pp.297-306.



Map 9.

Tribal Territories in 1800.

determined Waikato push towards the coast which must have been set afoot and sustained by increasing competition for resources. There had been an interminable round of hostile encounters and small skirmishes, and an occasional decisive battle.⁹ First Whaingaroa, then Aotea was abandoned to Waikato, and the pa at Kawhia were filled with refugees. In the summer and autumn of 1820-21, a number of Ngati Maniapoto chiefs - anxious to settle their own scores with Ngati Toa - joined with Waikato and succeeded in pushing Ngati Toa into a corner on the south-west side of the harbour, at Taharoa.¹⁰ Penned up in their pa, their Ngati Tama allies - who had tried to come to their assistance - defeated, Ngati Toa had little hope of fighting their way out. All that was left to them was negotiation.¹¹

Despite their difficult position, however, Ngati Toa were in no danger of being destroyed. Like all the coastal peoples, they had close relatives among the intruders. Waikato leaders who attacked other Kawhia pa had already given safe passage to many of the defenders and Ngati Toa, in their turn, were offered shelter inland by Ngati Maniapoto.¹² But Ngati Toa

9. For details of these skirmishes, see Kelly, Tainui, pp.300-318.

10. Ngati Maniapoto were enraged at the killing of their chief Te Moerua on a peace track near Otorohanga, despite the fact that it was Te Rauparaha's uto for his wife Marore whom Waikato - in an obvious attempt to provoke Te Rauparaha - had killed not long before (about 1820).

11. Ngati Toa were defeated by an expedition led by all the great Waikato-Maniapoto chiefs at the battle of Te Kakara; Ngati Tama lost their chief Raparapa in the battle and sent a taua to avenge his death which was heavily defeated. Ngati Toa, meanwhile, fell back on Te Arawi pa, where they were again attacked, and were completely encircled by the enemy. See ibid., pp.319-328, 336-338.

12. Te Hiakai and Muriwhenua, for instance, conducted Ngati Te Ra out of Whenuapo pa; Te Kanawa arranged for the escape of his relatives Ngati Tuirirangi from Te Arawi. See also Wiremu Naera, 'The History of the Tribes', pp.6-7.

knew that Waikato-Maniapoto - with no coastal outlet of their own - had designs on their harbour, and that if they returned they would either have to fight their way back, or accept that their rights of trapping, of fishing and cultivation were likely to be severely curtailed. Was it, Te Rauparaha must have asked them, worth the trouble? If they had to fight, why not fight for wealth? A west coast harbour, with its treacherous sand-bar entrance, would never attract European shipping as the Bay of Islands did; nor could the Kawhia people offer anything to tempt a trader.¹³

Ngati Toa were convinced, and - with quite remarkable courage - turned their backs on the bleak future Kawhia seemed to offer. Certainly, though, it was a difficult decision even for a people in straitened circumstances to take. A number of Ngati Toa - among them one of Te Rauparaha's own brothers - refused to go; many of his close relatives of Ngati Koata, stayed behind.¹⁴ For sheer want of manpower, Te Rauparaha's migration barely got under way. While his people rested at Okoki on the north Taranaki coast - the first stage of their journey completed - Te Rauparaha was touring the central North Island, trying to raise allies from among his maternal relatives. He went to Taupo, to Tauranga, to Rotorua; and they all turned him down.¹⁵ But his most galling rebuff was administered by his closest relatives - Ngati Raukawa, whom he had expected to support him. Te Rauparaha's mother Parekohatu was Ngati

13. When Waikato-Maniapoto occupied Kawhia several years later to scrape flax for export to Australia, all the flax was carried out from the inland swamps. See, for instance, evidence of Tu Area Takoki, 4 September 1886. MLC, Otorohanga Bk. 1, (Rohepotae), p.246.

14. 'Life and Times', p.9; and Tamihana Te Rauparaha's account 'Rau-paraha' in John White, The Ancient History of the Maori, His Mythology and Traditions; Tainui (Wellington, 1890), Vol. 6, p.16.

15. Matene Te Whiwhi, MLC, Kukutauaki Block, p.136. Smith (Maori Wars, p.201) suggests that Te Rauparaha was at Tauranga in December 1821, when Te Totara pa fell to Hongi.

Raukawa, and from the time he was ten he had lived for several years with her people, serving as the arms bearer of the chief Hape ki Tuarangi.¹⁶ When he returned, as Hape ki Tuarangi lay dying, he was a chief who, by sheer ability - for he was of good, but not exalted birth - had fought his way to the leadership of Ngati Toa. The great battle of Hingakaka, fought about the time Te Rauparaha was born, had left Ngati Toa deficient in mature leaders, and there was ample opportunity for an able, ambitious man to make his mark.¹⁷ Te Rauparaha was a clever man, a powerful speaker, and above all a superb strategist who was to owe his life on more than one occasion not to luck, but to his own quick-wittedness. And when Hape, in the presence of his people, asked his elders to name the man who should succeed him, Te Rauparaha threw down the gauntlet: "ko ahau tonu, ko Te Rauparaha te rangatira i muri i a koe, hei whakakapi mo tou tunga ... Whakarongo mai! ... Ka nui atu toku toa i tou; me te haerenga o toku ingoa ki te ao katoa, puta noa ki runga, puta noa ki raro; ko nga wahi i ngaro i te haerenga o tou rangatiratanga, ma toku e haere, e kite."¹⁸ (I, Te Rauparaha, will succeed you as the chief and will fill your position.

16. Parekohatu was descended from the great chief Ngatokowaru; she belonged to Ngati Huia and Ngati Takihihi:

Raukawa
Takihihi
Tamatehura
Huitao
Haehaeroa
Ngatokowaru
Huia
Korouaputa
Parekohatu

17. Pei Te Hurinui dates the battle at about 1790; see his account in Potatau, pp.4-16. Also 'Maori Notebook', MS. in Alexander Turnbull Library.

18. Wiremu Maihi Te Rangikaheke, 'Hape-Ki-Tuarangi', trans. George Graham, JPS, 1941 50 (3): 118.

Listen to me! I shall be a greater warrior than you have been; and my name shall be heard everywhere, both in the north and in the south; my authority will be known in places where yours never reached.) There were many in that gathering whose claims were better than Te Rauparaha's; but when Hape died, it is said, 'Te Rauparaha stood in succession to him.'¹⁹ To the anger of Hape's teina, he even married Te Akau, Hape's widow, who bore his son during the heke south.²⁰ Now he came to test the strength of his position, to offer Ngati Raukawa the chance of settling fertile new lands with him. And they turned him down out of hand: 'hei aha i whakarongo ai ki te kupu a tena tutua ...' (why should I listen to the advice of this nobody?) asked one kaumatua.²¹ Would it not be rather more to the point if he assisted his tuakana in their plans for an expedition to Ahuriri? This, then, was their answer - not to a mere invitation, but to Te Rauparaha's attempt to assert the authority which he claimed from Hape ki Tuarangi. "They will not emigrate with you", Te Rauparaha's messenger told him, "for the chieftainship would pass to you ..."²²

Te Rauparaha returned to Okoki angry, insulted, and with no alternative left to him but Ati Awa. He had not wanted to invite Ati Awa participation, for the very simple reason that many of the Ngati Toa chiefs - notably the family of Te Peehi Kupe, the most senior chief - had close connections with the northern Ati Awa hapu: Ngati Rahiri, Ngati Hinetuhi, Kaitangata,

19. Ibid., p.119.

20. 'Life and Times', p.14.

21. Unheaded account of the Ngati Toa and Ngati Raukawa heke by Tamihana Te Rauparaha, filed in Maori Affairs Series 13, Vol. 69a (Rangitikei-Manawatu), National Archives, p.7.

22. 'Life and Times', p.25.

Ngati Mutunga.²³ Te Rauparaha, who had no intimate relationship with Ati Awa, always felt uneasy with them, and it is obvious that he feared for his leadership if this strong numerous group within his tribe should be reinforced by their own relatives.²⁴ In the end, however, he had to accept their help - and the whole expedition, as a result, became even more precarious.

It is easy to imagine, after all - bearing in mind Te Rauparaha's later military successes - that he swept his way south without difficulty, rapidly disposing of his unfortunate opponents. But even in Ngati Tama territory - immediately south of his own - he ran into suspicion and hostility; and both there and at Okoki (on the Urenui River) his people were treated not as visitors but as travellers, to whom no food was offered but potatoes.²⁵ Before he left Okoki, a year later, he had twice had to face a forbidding enemy taua. He was attacked first when, after seeing his people settled among Ngati Mutunga - he had returned with a few companions to escort his wife Te Akau from Marokopa where she had stayed behind to give birth to her child.²⁶ At the mouth of the Mokau river they were surprised by a strong Ngati Maniapoto taua. Te Rauparaha dressed the women in dogskin mats, as warriors, and rushed the foe, killing their leaders and putting them to flight. At night, it is said,

23. Te Peehi Kupe was a grandson of the great Ngati Toa chief Pikauterangi. The whakapapa shows Te Rauparaha's relationship to him:

| | |
|---------------|-------------------------------|
| Toarangatira | (<u>tupuna</u> of Ngati Toa) |
| Marangaiparoa | |
| Te Maunu | Kimihia |
| Pikauterangi | Werawera |
| Toitoi | Te Rauparaha |
| Te Peehi | |

24. Early in his career, for instance, Te Rauparaha had led a taua against Ngati Rahiri to avenge the death of one of his relations; on that occasion a peace had been arranged by his half brother Nohorua, who was related to both sides. 'Life and Times', p.5.

25. Tamihana Te Rauparaha in White, Ancient History, Vol. 6, p.21.

26. This was Katu, later Tamihana Te Rauparaha; he was born at the pa of the Ngati Tama chief Te Puoho.

unable to cross the river at high tide, he held off a counter-attack only by subterfuge, haranguing imaginary groups of warriors at scattered fires, until the tide ebbed.²⁷ News of the defeat so mollified Ati Awa that for the first time they began to treat their visitors properly, offering kumara and taro and large pigs.²⁸ More than that, they agreed to allow Ngati Toa to stay with them, and plant and harvest their own crops; and as a result Ngati Toa had no option but to assist their hosts, some six months after their arrival, against a powerful Waikato-Ngati Maniapoto taua. Ati Awa had intercepted a Ngati Whatua-Waikato expedition returning from a southern tour, besieging them in Pukerangiora pa on the north bank of the Waitara river. The northern relief party, said to be 700 strong, was led by Te Wherowhero and the most renowned Waikato toa, and the battle fought at Te Motunui in the spring of 1821 was so fierce that the following day neither side was anxious to continue. Waikato were so distressed by the loss of their chiefs Te Hiakai and Mama that they paused only to gather up the force in Pukerangiora before retiring home.²⁹

It was, perhaps, as a result of this sobering encounter, that both the northern Ati Awa and Ngati Kura decided to accompany Ngati Toa. Ngati Toa were entitled, now, to assistance, and it would be a useful reconnaissance expedition for Ati Awa in case future Waikato taua should prove too strong for them. The heke moved south in March 1822, with some 200 Ati Awa reinforcements - not settlers, but warriors - and Te Rauparaha owed them in large measure his survival in the early months.³⁰

27. 'Life and Times', pp.14-16.

28. Ibid., p.17; Tamihana Te Rauparaha in White, Ancient History, Vol. 6, p.21.

29. See Te Hurinui, Potatau, Ch. 7, passim. For an account of the Amiowhenua expedition which came to such an ignominious end at Waitara, see Smith, Maori Wars, pp.208-224.

30. 'Life and Times', p.26. This figure may be too high; certainly another of Tamihana's estimates ('300 twice told'), is.

But he survived also because the tangata whenua, unaccustomed to the sight of an entire tribe on the march, seem not to have known how to deal with him. South of the Waitara, Te Rauparaha had ordered his people on no account to steal food. They wintered at Otihoi in south Taranaki, living off fernroot and karaka berries and paua, and were careful not to arouse local hostility. Even at Waitotara, where the local Nga Rauru people killed five men sent to ask for a canoe, it was merely as uto against Te Ratutonu, the leader of the party- a Ngati Toa taurekareka from Taranaki, whose father, years before, had killed some people of Nga Rauru.³¹

Te Rauparaha got his canoe in the end, which accommodated some of the women and children, and his heke passed through south Taranaki, stopped briefly at Whanganui, and reached Manawatu in the autumn of 1823. The Whanganui chiefs, it is said, had already advised the tribes of Horowhenua and Muaupoko to kill Te Rauparaha when he arrived; and the Muaupoko went about it in a very businesslike way, luring Te Rauparaha and some companions inland with a friendly invitation to visit their village. But they made two bad mistakes. During a treacherous mid-night attack in which nearly all Te Rauparaha's party - including four of his children - were killed, Te Rauparaha himself effected his escape.³² And the Muaupoko had acted before the Ati Awa had left for home. From that time Te Rauparaha took the offensive against them, following them inland with his entire strength to their pa at Lake Horowhenua, to defeat them so soundly that they never dared to go back. He went next against the

31. Ibid., pp.26-27. Te Ratutonu belonged to the Nga Mahanga hapu of Taranaki; he was the taurekareka of Te Rauparaha's sister Topeora.

32. Ibid., pp.29-31; Matene Te Whiwhi, MLC, Kukutauaki Block, pp.136-137. Te Rauparaha lost his teina Te Poa in the attack, Te Poa's son and two of his own, and two daughters.

Rangitane, and succeeded in tricking a number of chiefs out of their pa at Otuiti, on the bank of the Manawatu, and killing them. And from the time he was established on Kapiti small Ngati Toa bands made constant raids against Muaupoko, watching at night for tell-tale smoke. 'We frequently came on shore to hunt for these people at Horowhenua & other places', said Matene Te Whiwhi later, & if we did not catch any returned to the Island.'³³

Te Rauparaha seems almost to have been slow to recognise the strategic advantages of Kapiti. Commanding as it did the length of the coast, offering sheltered canoe landings, it was both easily defensible and a superb base from which to mount military operations. But the people, as one unusually honest elder explained, were 'weakened by constant fighting', and they still had to return to the mainland for food: to dig fernroot and gather shellfish.³⁴ It should have been possible, in short, for the tangata whenua to pick them off. For this early fighting was on a modest scale. It was hand-to-hand fighting, with the taiaha, the mere and the battleaxe. According to one veteran: 'There were few, very few, guns among the warriors of Ngati-Toa when they fought their way through to the Eastern Sea.'³⁵ Forty Muaupoko were said to have been killed in the big Horowhenua attack; in later recorded raids ten and twenty respectively, and sometimes none at all.³⁶

33. Ibid., p.138. See also ibid., pp.137-139. The Muaupoko had constructed artificial island pa in three of the Horowhenua lakes, of which, six were in Lake Horowhenua itself; the largest, Waikiekie, was said to cover nearly three-quarters of an acre.

34. Elsdon Best, 'Te Whanga-nui-a-Tara; Wellington in Pre-Pakeha Days', JPS, 1901 10 (3): 162.

35. Ibid., At the Mokau battle, for instance, Te Rauparaha had fought with a pouwhenua; his son with a taiaha.

36. Matene Te Whiwhi, MLC, Kukutauaki Block, pp.137-138.

The tangata whenua, moreover, were fighting on their home territory; they should have had the advantage of Ngati Toa. On several occasions they did surprise small food-gathering parties: at Waikanae they killed six people, and at Pukerua twenty. And after Te Rauparaha's treachery at Te Otuiti, Ngati Apa and their Hamua allies attacked a party sleeping on shore at Waikanae, killing thirty people, and capturing Te Rauparaha's gun besides.³⁷ Ngati Toa simply could not afford losses of this kind, and had the tangata whenua persisted with their guerilla tactics, they might well have proved a formidable foe. Instead, at the beginning of the fourth year of Ngati Toa occupation, they mounted a massive expedition against them from both islands, to which every southern tribe contributed: Whanganui, Ngati Ruanui of South Taranaki, Ngati Kahungunu, Rangitane, Muaupoko, Ngati Apa, Ngati Ira, and Ngati Kuia. Two thousand, it was said - or three - gathered at Waikanae, and 'the canoes were close together and covered the space between Waikanae and Kapiti'.³⁸ But the battle of Whakapaetahi ended in their rout. Despite all their precautions Ngati Toa were warned of their coming, and they beat off the only section which actually managed to land, pursuing them to the water's edge. The sight of their fellows in flight caused panic among those still at sea, and as they struggled to manoeuvre their canoes out of the way, Ngati Toa began to dispatch those who went overboard, and to commandeer their craft.³⁹

37. Ibid., pp. 138-139. See also evidence of Nopera Te Ngiha, 30 March 1868. MLC, Otaki Bk. 1D, Himatangi Block, p.392; 'Life and Times', p.45.

38. Matene Te Whiwhi, MLC, Kukutawaki Block, p.140.

39. For an account of the battle, which was fought at Waiorua on Kapiti Island in 1826, see 'Life and Times', pp.36-41. See also Matene Te Whiwhi, MLC, Kukutawaki Block, p.140. Ati Awa had returned home before this time.

The invading fleet, then, was simply far too big to fight effectively. The tangata whenua, indeed, had never seen how vulnerable Te Rauparaha was; after their initial defeat Muaupoko simply gave up, and emigrated in large numbers - to Whanganui, or the Wairarapa, or to Taitapu (Nelson district). They were overawed by his mana - his ingenuity, his ability to survive, and the sheer self-confidence, the gall which had allowed him to risk his entire tribe in hostile country. In the end, they overestimated him; they fought in too many canoes, with too many men, and Te Rauparaha's victory in the face of apparently overwhelming odds merely enhanced his psychological advantage. 'They talked always - did these men who ran away - concerning the prowess of Te Rauparaha' his son said later. 'The reputation that they had for te Rauparaha was that they said he was an "atua" ... was this Te Rauparaha, and that he was not a human being.' ('ko ta ratou ingoa tena mo Te Rauparaha ta tera motu; ka ki he atua a Te Rauparaha, ehara i te tangata.')

Te Rauparaha emerged from Te Whakapaetahi no longer a mere intruder, but an established occupant of the district. Success, moreover - as Ngati Toa ruefully noted later - brought him friends: 'no te rongonga mai hoki kua riro katoa te whenua nei i a matou; mei rongo mai kua mate matou kihai hoki i tae mai ki te ngaki i to matou mate ...' (they came when they heard that we had taken all the land; but when they heard of our losses, they did not come to avenge them).⁴¹ Between 1827 and 1833 a succession of migrations from the north brought Te Rauparaha his long-

40. 'Life and Times', p.41 (Maori version, p.37).

41. 'History of the conquest of the Middle Island', p.174.

awaited reinforcements. His own relatives, Ngati Raukawa, finally succumbed to his prosperity and followed close behind an exploratory deputation.⁴² But they made strange bedfellows with Te Rauparaha's erstwhile associates who - unwanted or not - returned from the Mokau and north Taranaki coasts: Ngati Tama, Ngati Rarua, Ngati Mutunga and Ati Awa.⁴³ They had nothing in common beyond the need to escape from pressures at home - Ati Awa from the expected invasion of Waikato, newly armed with guns and, it was feared, with fashionable lack of restraint; Ngati Raukawa from the hostility of their Maniapoto and Ngati Haua neighbours, which had prompted their long-sustained bid to establish themselves in Hawkes Bay. But in the mid-twenties Ngati Kahungunu rallied under their new Nga Puhi leader Te Wera Hauraki, and Ngati Raukawa, on the brink of success, were forced to withdraw. The Nga Puhi invasion at home had already pushed many of them south to the Taupo district, but they were pursued even there by a new competitor - Ngati Maru, refugees from Nga Puhi attacks on the Thames. Ngati Raukawa reluctantly gave in, and went to Kapiti.⁴⁴

42. 'Life and Times', pp.54-55. This first heke, led by Te Ahu Karamu, was called heke karere; it was followed by the heke whirinui (which left Maungatautari after Pomare's defeat in 1826), the heke kariritahi, led by Nepia Taratoa and the heke mairaro, which left home towards the end of 1828, but left Taupo only in autumn 1829.

43. The evidence as to the sequence of heke, and the composition of each, is confused in the extreme; it seems, however, that the first of the immigrating groups to settle in the south was composed of Ngati Mutunga and/or Ngati Tama, and that the main Ati Awa heke preceded the main Ngati Raukawa arrivals. There were at least three Ati Awa heke in the period before 1830: one of Ngati Mutunga, one of Ngati Tama, and the most important of them, led by Reretawhangawhanga of Ngati Kura and Manutoheroa of Puketapu, which was said to be some 600 strong. See, for instance, ibid., pp.62-63.

44. Te Wera Hauraki settled at Te Mahia among Ngati Kahungunu, perhaps at the end of 1823 or the beginning of 1824, achieving fame as the leader of his adopted people; notably he defeated and expelled Te Whatanui of Ngati Raukawa, who had settled at Te Roto-a-Tara near Te Aute, capturing his wife. Smith, Maori Wars, pp.281, 305-306; account of Tamihana Te Rauparaha, MA 13/69a, pp.9-11.

With such a miscellaneous assortment of allies, it is less surprising that there were quarrels, than that Te Rauparaha managed to weld them into an effective fighting force with which he completed the conquest of the south. Ati Awa went with his taua to Whanganui which took the great pa Putikiwharanui, avenging the death of Te Ruamairo and other Ngati Raukawa chiefs whose heke had been attacked on the journey to Kapiti and, more importantly, securing Te Rauparaha's northern borders from the dangers of Whanganui raids.⁴⁵ A year later he was tempted to Kaikoura by Rerewhaka, whose kanga - that he would rip Te Rauparaha's belly open with a shark's tooth if he got the chance - was uttered in the obvious hope that Ngati Toa might be more easily dealt with on territory unfamiliar to him. But he was wrong. A force of Ngati Rarua, Ati Awa and Tuhourangi (on a visit from Rotorua) defeated him badly, and went on to do a little spying at the great Kai Tahu pa Kaiapohia. Kai Tahu, perfectly well aware of the intentions of their supposedly friendly visitors, suddenly struck back. With a small group of Ngati Toa chiefs led by Te Peehi himself isolated in their pa, they turned on them and killed nearly all.⁴⁶

Te Rauparaha took his revenge by degrees. A year later, in October 1830, he chartered a ship from a flax trader to make a surprise attack on the pa of Tamaiharanui, the chief he held responsible for the deaths of his people. This time Ngati Raukawa were with him, and after Tamaiharanui and his family had been enticed aboard - to be returned to Te Peehi's Ati

45. For an account of the expedition, see 'Life and Times', pp.78-82. Te Ruamairoro's heke had been twice attacked by the great Whanganui chief Te Peehi Turoa, seeking uto for his relative Te Wharerangi who was killed at Rotoaira by a joint Ngati Maru-Ngati Raukawa force. It seems that the Whanganui attack occurred after the fall of Kaiapohia (1831).

46. 'History of the conquest of the Middle Island', p.175.

Awa relatives at Kapiti - it was they who devastated Akaroa.⁴⁷ While Kai Tahu swallowed this defeat, Te Rauparaha was planning perhaps his most famous campaign: his attack on their virtually impregnable pa at Kaiapohia. Defended on three sides by swamp, and on the fourth by three high outworks pierced with musket openings, through which Kai Tahu could keep up a steady fire; with supplies of eels and fish and fernroot piled high on food stages inside, it might have seemed a hopeless proposition. Te Rauparaha's achievement was not merely to take it, but to take it by means of a slow three-month siege with a force of independent Ngati Toa, Ati Awa and Ngati Raukawa divisions. Did he really need the three trenches behind which they sapped up to the pa to pile inflammable manuka against its walls, or was it rather that he had learned - even in such trying circumstances - how to make supra-tribal warfare work? Each division worked under its own leaders, each was constantly occupied, and as each competed with the others the work was rapidly completed.⁴⁸

Kaiapohia was the decisive victory of the South Island campaigns. It shattered Kai Tahu resistance, and as the survivors retreated to live with their relatives at Otakou and Rakiura (Stewart Island) the way was cleared for a new settlement of the abandoned territory. Perhaps Te Rauparaha felt bound to prove that he could provide as many feasts of flesh and as many taurekareka as any Nga Puhi leader. But there was besides a stern economic purpose to his expulsion of the southern tribes. While a strong Kai Tahu rear remained, the small intruder communities which were soon

47. Ibid., pp.175-176; Ngati Toa account 'Rau-paraha and Rangi-hae-ata' in White, Ancient History, Vol. 6, pp.52-54.

48. For accounts of the siege, see 'Life and Times', pp.67-73; Stack, The Sacking of Kaiapohia, Ch. 5, passim.

to be established could never have survived.⁴⁹ If the tangata whenua had merely been forced to flee inland, they might later have cut off the new-comers at their convenience, choosing their time and weather conditions so that it would be difficult for a canoe to voyage across Cook Strait - one of the most boisterous pieces of water in the world - for help. The Kai Tahu raid of 1835, mounted by double canoe from the far south, showed what determined opposition from close quarters might have achieved. Successfully ambushing Te Rauparaha as he snared paradise ducks at Kapara Te Hau (Lake Grasmere) they defeated his men and nearly killed the great chief himself. In the skirmishing which followed - when Te Rauparaha's reinforcements had arrived from Kapiti - he failed to get the better of Kai Tahu, and they withdrew one night only because their ammunition ran out. The following year, Te Rauparaha agreed to a truce.⁵⁰

By 1832, then, Te Rauparaha's raupatu (conquest) of the land from the Whangaehu River in the north to Kaiapohia in the south had been accomplished. It was an astonishing feat, achieved less by guns - for by the time he fought Kai Tahu they had their own - than by low cunning, superior strategy, and by the force of Te Rauparaha's mana. But the extent of his conquests, after all, was not important. What Te Rauparaha had fought for was not land, but status - the status which only a superior competitive capacity could confer. His success was measured not in evacuated enemy pa, but in the number of allies who followed him south, the size of the feasts he could give, the greenstone he had captured, and the quantities of goods he obtained from his traders and shipping.

49. Cf. Tamihana Te Rauparaha's comment ('Life and Times', p.78) on the assembling of Te Rauparaha's taua against Whanganui, when warriors from the south island left their families behind: 'For there was nothing to cause them to be anxious, for where were there any people to cause trouble...'

50. Ibid., pp.87-97; S. Percy Smith, History and Traditions of the Maoris of the West Coast, North Island of New Zealand Prior to 1840 (New Plymouth, 1910), pp.537-542.

His own personal triumph was the feast he gave - after Ngati Toa were established in both islands - for Ngati Raukawa. On both sides of the Straits his people spent a whole summer cultivating and gathering food - fish, birds, and eels - and when the preparation was complete the food was piled up at Kapiti in a heap (tahua) fifty yards long and seventy yards high. The feast was obviously designed to stagger Ngati Raukawa. It was Te Rauparaha's final riposte to their sneers, his visual proof that they had been wrong in their estimation of him. "For he desired that Ngati-Raukawa should not be enabled to repay him or surpass him ... in fact this feast never was surpassed."⁵¹ He had set aside for them when they first arrived a very fertile region: the lagoons, the streams and swamps of the coast from Otaki north to the Rangitikei River; the Horowhenua lake, famous for its plentiful supplies of eel and flounder, whitebait and fresh-water mussels.⁵² Ngati Raukawa were rich in resources in the south; but Te Rauparaha had become so great a chief that their own chiefs could no longer compete with him.

His feast, in this sense, was something of a casual gesture. For the real wealth which aroused men's envy was not the teal, the paradise ducks, the teeming fish of Cloudy Bay - but the pakeha goods which Te Rauparaha monopolised. There were whaling stations at Kapiti, Mana and Porirua; and at Karauripe (Cloudy Bay), where his half-brother Nohorua lived, he ran his own version of the Bay of Islands, to cater for the new bay whalers: the shore gangs and ships which during the '30s followed right (black) whale cows to the coves to slaughter them during the calving season.

51. 'Life and Times', pp.97-98. See also ibid., p.87.

52. See G. Leslie Adkin, Horowhenua, its Maori Place-Names and their Topographical and Historical Background (Wellington, 1948), pp.18-20, 40.

Each whaling season - from May to October - Te Rauparaha would cross himself to Karauripe to oversee the arrangements and make sure that the ships were well supplied with pigs and potatoes. 'Having commenced his food cultivation at Kapiti, on the same being finished there, he would cross over to Otaki; and having cultivated his food there, and having completed that, he would then hurry away to Pukerua; and having finished cultivating food there, he would hurry over to Mana (island), and so on; likewise to Karauripe (Cloudy Bay), to Wairau, where having finished his cultivation, he would then return over to this side. Such was the fixed rule of te Rauparaha in respect of the cultivation of food ...'⁵³ He ran both the outgoing and the incoming trade, successfully impressing on the pakeha the importance of cultivating his own goodwill. 'Although the commanders of the ships might not have previously have [sic] met Te Rauparaha', wrote his son later, 'they would invite him to go aboard their ships, and the commanders of the ships would evince their respect for him by freely sending presents of blankets as a token of friendship from them to Te Rauparaha; if there were 100 ships, there would be 100 blankets.'⁵⁴ So Te Rauparaha took his tribute - and William Wakefield later saw it piled up, covered with dead brushwood and closely guarded by his taurekareka - and used their ships to transport his canoe over the straits; and in return he saw that his pakeha were well looked after. He established a complete monopoly of the employment they provided, the goods which they brought, and the prestige which the control of so many pakeha conferred. The neighbouring tribes became entirely dependent on him for tobacco, powder, rum and guns; from as far away as Whanganui and Taupo great presents of food were sent to Te Rauparaha to be exchanged for goods.⁵⁵

53. 'Life and Times', p.79.

54. Ibid., p.86. See also ibid., pp.84-85.

55. 'Rauparaha and Rangi-hae-ata' in White, Ancient History, Vol. 6, p.51.

Contrary to their expectations, then, neither Ati Awa nor Ngati Raukawa had much share in the new trade. Ati Awa, living at Waikanae and Whanganui-a-Tara, without whalers, with little shipping and few pakeha, were driven to compose a ngeri (taunting song), a reminder to Te Rauparaha of their contribution to his success:

| | |
|---|--------------------------------------|
| 'Ma te Rauparaha e inu te whihiro[sic], | 'Tis left for Te Rauparaha to drink |
| Hei titiro kau atu te Ari-Awha, | of "wai-piro", |
| Nona te ngoikore ki te kimi kainga | That Ngati-Awa might merely behold |
| Turanga kaupuke mona, (ara, mo te Ati- | him; |
| Awha). | Theirs is the lack of energy to |
| | find a new home |
| | Where ships may visit them (that is, |
| | of Ngati-Awa). ⁵⁶ |

And once, when they had actually been given a trader - a man anxious to settle at Waikanae where there was high quality flax and a large population to dress it - they lost him. He had been there only two months when, it was alleged, he discovered that Ati Awa were cheating him. He complained to Te Rauparaha and Ati Awa, to their mortification, saw him take his stores of guns and powder off to Ngati Raukawa.⁵⁷ But Ngati Raukawa too seem to have expected rather more. They were allowed once to visit Cloudy Bay to trade; but they appear finally to have pinned their hopes on an outlet at Waikanae. 'Not satisfied with a settlement which they [Ngati Raukawa] had formed at Otaki', Dieffenbach learned from Ati Awa in 1839, 'they wanted to come nearer to this place of anchorage, for the advantage of trading, and their aim, during several years, has been to drive the Nga-te-awa from [Waikanae], which is opposite Kapiti.'⁵⁸

In the end the two tribes vented their exasperation on each other. Hostilities broke out first in 1834, after the arrival at Kapiti of the

56. 'Life and Times', pp.86-87 (Maori version, p.76); pp.98, 101.

57. Ibid., pp.82-83.

58. Dieffenbach, Travels in New Zealand, Vol. 1, p.104.

last sizeable heke: a motley band of Ati Awa, Taranaki and Ngati Ruanui, thrown together by defeat at the hands of yet another rampaging Waikato taua. As they travelled through Ngati Raukawa territory, the newcomers began to raid storage pits, and continued raiding as far south as Otaki. Who was behind the provocation it is difficult to say. Taranaki were patently the aggressors, but they may have been driven to stealing food because Ngati Raukawa refused to supply them. Ati Awa afterwards accused Te Rauparaha of inciting Ngati Raukawa to mischief; Ngati Toa accused Ati Awa of advising Taranaki to attack Ngati Raukawa, with the further object of killing Te Rauparaha. Tamihana Te Rauparaha protests - too much, perhaps - that his father did his utmost to avert a confrontation, urging the Ngati Raukawa chiefs to restrain their people. But Te Whakahake of Ngati Raukawa caught a thief in the act, and his self-restraint evaporated. He killed the Ati Awa with his tomahawk, and next morning Taranaki surrounded Ngati Raukawa in their pa on the Otaki River.⁵⁹

The siege that followed was a tedious affair which proved conclusively that there was nothing to be gained from open confrontation. Ati Awa joined the besiegers in force, and with them went all their Ngati Toa relatives; Te Rauparaha, with his small party of Toa-Raukawa relatives, entered the Ngati Raukawa pa. The awkward presence of Ngati Toa on both sides prevented their respective allies coming seriously to blows, and the siege dragged on from autumn, through the winter and into the following summer. Ati Awa appear to have made no attempt to storm the pa; nor, since food must have been smuggled in, could they succeed in starving out its inmates. Both sides were irritated at missing the planting season, and parties who tried to sneak off to the cultivations were attacked by the taua

59. 'Life and Times', pp.98-101; Matene Te Whiwhi, MLC, Kukutawaki Block, pp.146-147.

of their opponents. The stalemate was broken only by a northern taua of Ngati Tuwharetoa and Ngati Maniapoto, whose arrival allowed Ati Awa and Ngati Ruanui to abandon their siege, and fall back on their own pa. A series of brisk, face-saving skirmishes followed, from which neither side secured much advantage, and a peace was easily arranged.⁶⁰

This, then, was the unspectacular, the militarily indecisive conflict since known as Haowhenua. But Ngati Raukawa, certainly, were the victors. Whether because Te Rauparaha had taken the opportunity to establish himself as the fighting chief of Ngati Raukawa, or because of the reminder of the powerful allies he could call upon, Ati Awa were totally unsettled by the fighting. After Haowhenua they were nervous of Ngati Raukawa, and they remained nervous until the Christian peace was generally adopted. They moved south, out of the way of Ngati Raukawa. Ngati Mutunga abandoned Whanganui-a-Tara for Wharekauri (Chatham Islands); and their place was at once filled by the Ati Awa hapu of the Tama Te Uaua - who failed in their own attempt to commandeer a ship to Rakiura (Stewart Island), in 1836. But the majority of Ati Awa crossed to the South Island, to Cloudy Bay, Arapawa, Te Awaiti and Taitapu. They all left representatives at Waikanae: a rather miserable, heterogeneous group whose fear of Ngati Raukawa prevented them from spreading over the land as they would have wished, to establish their respective hapu rights of cultivation and eeling. Instead, they huddled uncomfortably near their pa, and did their gardening and their fishing together.⁶¹ In 1839, as a further safeguard, they took up Christianity

60. Ibid., p.147; W. Carkeek, The Kapiti Coast; Maori History and Place Names (Wellington, 1966), Ch. 4, passim; 'Life and Times', pp.101-109.

61. Judgement, 23 July 1890. MLC, Otaki Bk. 12, Ngarara West Partition (Rehearing), pp.14-16. See also evidence of Watene Taungatara, 21 January 1890, W.G. Mair Papers, Vol. 11. Ngarara Block (Rehearing), n.p.; Hera Te Wairingiringi, 25 January 1890, ibid.; Watene Taungatara (recalled), 30 January 1890, ibid.; Wi Parata Waipunaahau, 7 February 1890, ibid.

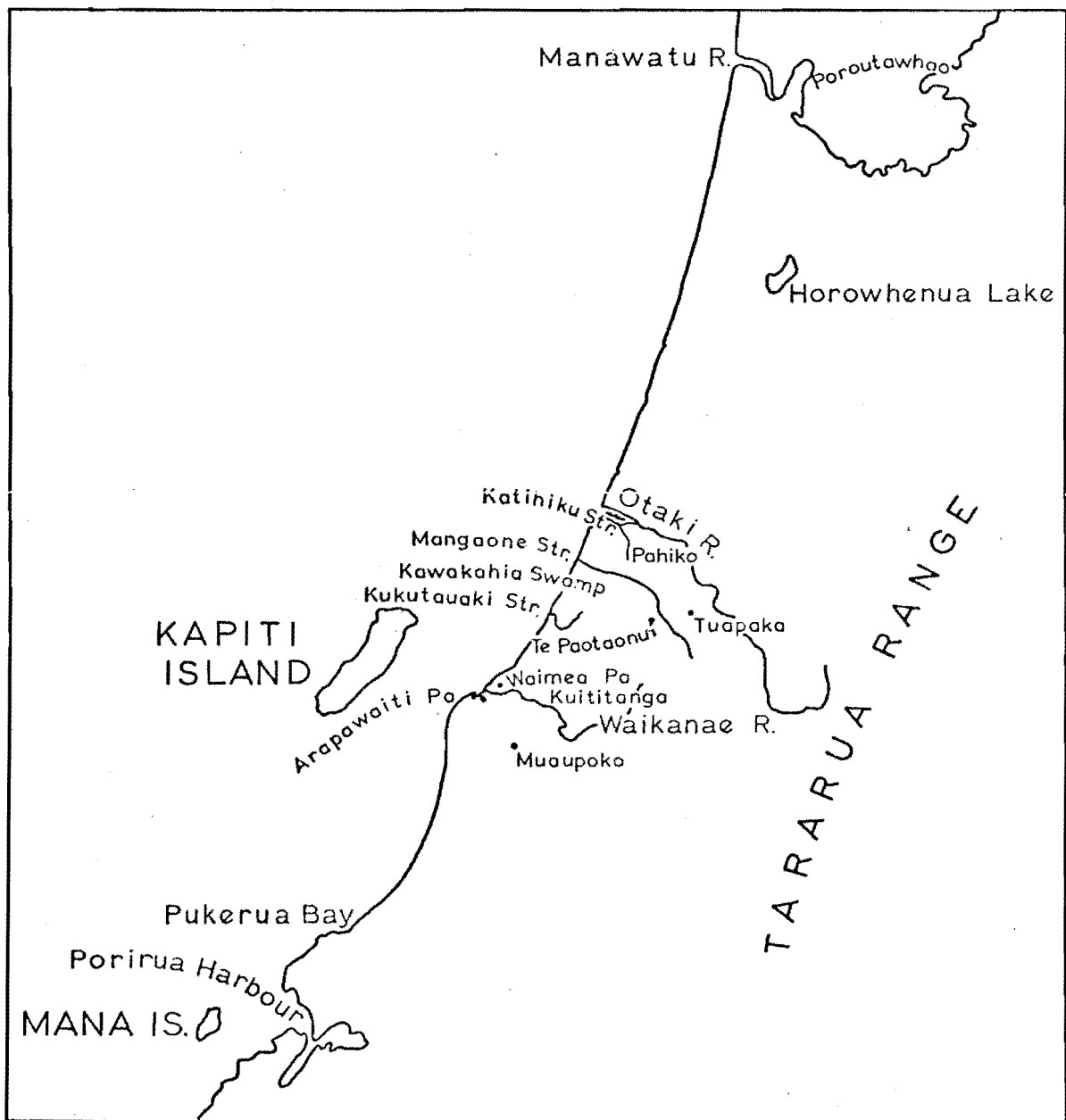
with enthusiasm. Under the guidance of their teacher Matehau, who had been taught at the Bay of Islands, they built a chapel, observed the Sabbath, held services and classes in the Church of England liturgy.⁶²

Ngati Raukawa, however, did not shrink from attacking this newly peaceful people. Ati Awa adoption of the rongo pai (peaceful tidings) merely irritated Te Rauparaha, who had been trying for some years to get a missionary for himself. Towards the end of 1839 he sent his son and his niece's son Te Whiwhi to the Bay of Islands, to escort a missionary to Kapiti in person. But he knew, and Ngati Raukawa knew, that the arrival of a missionary - a professional peacekeeper - meant the end of fighting.⁶³ Whether Te Rauparaha prompted Ngati Raukawa - for the joy of a final collision with Ati Awa - or whether they acted on their own initiative, is not clear. But on 16 October 1839, while it was still dark, they mounted a surprise attack on the Waimea pa, on the north side of Waikanae river. They failed, however, to press home their advantage. Ati Awa got across the river to their larger pa Arapawaiti on the south side, rallied and drove Ngati Raukawa off with the loss of about forty of their men, abandoning their pursuit only at their northern boundary Kukutauaki. The battle of Te Kuititanga was over by midday, and Ngati Raukawa had lost.⁶⁴ Henry Williams and Octavius Hadfield of the Church Missionary Society arrived a month later, and as everyone had anticipated marched to and fro between the hostile parties until they agreed to come

62. 'Journal of Rev. H. Williams from September 26th 1827', entry for 22 November 1839, Hocken Library (typescript).

63. Ibid., 18 and 20 November 1839. At his first interview with Henry Williams, Te Rauparaha volunteered to 'lay aside his evil and turn to the Book ... and there should be no more fighting'.

64. Evidence of Piripi Tana, 10 April 1890. MLC, Otaki Bk. 11, Ngarara Block (Rehearing), pp.284-285; Hohaia Pokaitara, 1 February 1890, and Te Karehana, 3 February 1890, W.G. Mair Papers, Vol. 11, Ngarara Block (Rehearing). Ngati Kura took the name Ngati Patupou (attacked-at-night) to commemorate the circumstances of the battle; and, of course, to remind Ati Awa that it was they who had defended the Waikanae land against Ngati Raukawa.



Map 10.

The Kapiti Coast.

to terms.⁶⁵

If Ngati Raukawa had succeeded in persuading Ati Awa to evacuate Waikanae they might, of course, have expected to claim the attention of Te Rauparaha's missionary themselves. But they were more eager, it may be guessed, to make a final bid for the trade. For the end of the whaling bonanza was clearly in sight. The multiplication of ships engaged - not only in Cloudy Bay and the Sounds, but at Otago, Banks Peninsula and Foveaux Strait - in bay whaling, the most destructive form of hunting, simply proved too much for the whales. In 1836 the Cloudy Bay season was such a disappointment that one captain made a careful study of the causes - concluding, inter alia, that the sight of seventy or eighty boats bearing down caused whales to turn tail and escape 'by wading their way with all the fleetness they are capable of, beyond the bounds of vision.'⁶⁶ Five-sixths of the potential catch, he reckoned, was lost from this cause alone. The 1838 season too was a failure, producing only 300 tuns of oil in all.⁶⁷ And in 1839 Dieffenbach noted that whereas formerly, twelve or thirteen tuns of oil might have been obtained from a good whale, 'I have been told that so large a quantity is now very rarely obtained, from the great decrease of the whales'.⁶⁸ Not only were there fewer whales, but they were pursued by ever-increasing numbers of ships; and as more ships worked the Off Ground, capturing cows before they even

65. 'Journal of Rev. H. Williams', 27-30 November 1839.

66. Robert McNab, The Old Whaling Days; a History of Southern New Zealand from 1830 to 1840 (Christchurch, 1913), p.155.

67. Ibid., p.230.

68. Dieffenbach, Travels in New Zealand, Vol. 1, p.51. He added that at that time a very good whale produced nine tuns of oil, though the average production was six tuns.

reached the coves, the bay whalers were forced to take young bulls, which produced less oil.⁶⁹

The rapid decline in the whaling trade can hardly have come as a surprise to the Maoris. They crewed the boats, and knew the trade intimately; and they themselves understood only too well the dangers of hunting during the breeding season. All the allies must have been aware, in short, that Te Rauparaha's trading boom was to be a short-lived affair. He did export pigs and pork and flax, it is true; but they all went out on whaling ships, and it seemed unlikely that the ships would bother coming once the whaling was finished.⁷⁰

If, then, the allies saw little enough of the trade, it was in the long term more important to them to establish their rights to the permanent resources of their newly acquired territories: the berry trees, the eel weirs, the fishing and cultivating grounds. Here, of course, they had to start from the beginning, and there were innumerable squabbles as one hapu jostled another to try to force recognition of its claims. The Ngati Pare and Ngati Huia hapu of Ngati Raukawa for instance came to blows about their respective rights near Otaki. Ngati Huia, clearing ground for new cultivations, trespassed on a Ngati Pare preserve: "We went to Otawhatu and cleared it", a Ngati Huia man related later, "thence to Tuapaka; thence to Mangaone by the stream. We came out at Te Paotaonui where we climbed up a tree to get food [koroi], we were so hungry. Ngati Pare heard of this and were angry. A war party of two hundred people came to our place at Katihiku; they took a canoe of Ngati Huia's. I remonstrated with Ngati

69. McNab, Old Whaling Days, p.230.

70. By 1842, in fact, after another disastrous season, whalers were turning their attention to the north-west American coast. Dieffenbach, Travels in New Zealand, Vol. 1, p.54, n.

Raukawa and they went away. After this Ngati Raukawa took Pahiko, a portion of our land from us. We killed one of their people, and we retained possession of our land".⁷¹

On another occasion Te Peehi Kupe's niece Waipunaahau was anxious to wrest a certain eel weir at Waikanae from the grasp of the Otaraua chief Paora Matuawaka. At the time he took possession of it she was a widow, but when she remarried - a Ngati Toa man, Natana Hira - she sent him to turn Paora away from the weir 'and there was a struggle in the water. Natanahira was worsted and on returning to his house cut his throat with a razor ...'⁷²

Such customary disputes about the exercise of rights might readily be dealt with. But Te Rauparaha's allies - lacking any historical connection with the land - had also to account for the origin of their rights. In the normal course of events they might have relied on the eventual establishment of a claim by ancestry; already, indeed, they had begun to make their own tohu on the land. But these were not normal times. Towards the end of 1839 the first determined pakeha land buyers came to New Zealand - in 1840 the first British colonists, and in 1842 the first Commissioner sent by the British Government to investigate land purchases. All of them arrived in the Cook Strait district; all of them wanted to know who was entitled to sell the vast acreages of land they came to buy and settle. Suddenly, the allies were forced to justify their claims for payment - and their objections to their opponents' receipt of payment - to outsiders.

71. Evidence of Manahi, MLC, Ngakaroro Block, (1874), quoted in Carkeek, Kapiti Coast, pp.42-43. (Koroi - fruit of Podocarpus excelsum, the white pine.)

72. Eruini Te Marau, 24 January 1890, W.G. Mair Papers, Vol. 11, Ngarara Block (Rehearing). Waipunaahau was the daughter of Te Peehi's teina Te Rangihiroa; she belonged both to Ngati Toa and to Ati Awa. Otaraua are a hapu of Ati Awa.

The obvious answer, it might seem, was to prove a claim by conquest (raupatu). But conquest seems widely to have been considered an unsatisfactory take. By its very nature, it could offer no security of occupation, for where there had been victory, defeat might as easily follow afterwards. Worse still, to acknowledge a conquest of the land was at once to admit a debt to Te Rauparaha, the leader of the fighting parties. And as their lands assumed a market value, the allied chiefs who had endured Te Rauparaha's control of the whaling shrank from the prospect of further allowing him some sort of overlordship which would give him an inordinate stake in this new trade. Those who did adopt the take raupatu therefore were chiefs who could plausibly postulate an independent conquest - a conquest in which Te Rauparaha had played no part. Te Rauparaha had never fought at Taitapu, for instance, or at Whanganui-a-Tara, and the Ngati Tama and Ati Awa occupants of the two bays argued that he could pretend no title to their land at all.

In general, however, chiefs sought to evade the take raupatu by substituting take tuku (claim by gift) - a much more acceptable take, which could be held to substantiate the claims of both those who received and those who made the gift. Few chiefs, therefore, would acknowledge a tuku of Te Rauparaha. Ngati Raukawa - whose obvious obligation to Te Rauparaha made things rather awkward for them - were to be found presuming a gift so absolute that it deprived Te Rauparaha of even the shadow of a claim to their land. They went further, and explained that their migration to Kapiti had been undertaken at the invitation not of Te Rauparaha, but of his sister Waitohi: "We came at the desire of Waitohi", declared one elder. "Had Te Rauparaha called, the people would not have assented. It was at the word of Waitohi."⁷³ It was, then, to

73. Evidence of Manahi, MLC, Ngakaroro Block, (1874), quoted in Carkeek, Kapiti Coast, p.23.

Waitohi that they owed their lands. "When her hapus were eventually brought down from the north," said another Ngati Raukawa elder, "a description of the land was then related to them. Waitaheke was given by Ngati Toa to Ngati Kauwhata, Waikawa was given to Ngati Wehiwehi, Rotokare to Te Ahu Karamu, Paetonga to Paia, Poroutawhao to Ngato Huia, Horowhenua to Te Whatanui. Those are the lands that Waitohi said to bring the tribes here to occupy".⁷⁴

Ati Awa claims to Waikanae were connected with a whole series of tuku, deriving from an incident in the early years of occupation, in which the Ngati Toa chief Te Peehi was wounded. Coming upon an important Muaupoko chief Te Ratu, Te Peehi had set off in pursuit, and followed his quarry into the Kawakahia swamp. Te Ratu turned and waited for him, holding his spear under the water, and as Te Peehi caught up with him lunged forward and drove his spear into Te Peehi's thigh. As blood dripped from the wound, Te Peehi pulled Te Ratu ashore by the spear. His companions came rushing up, and would have killed Te Ratu had Te Peehi not prevented them; instead, he kept Te Ratu as his taurekareka.⁷⁵

Te Peehi's blood of course had made the swamp tapu. But his wound afforded the occasion, rather than the basis of his claim to the district as far north as Kukutauaki; and it was left to his descendants to ground the title firmly in two gifts. The first was made by Ngati Toa chiefs who by virtue, it was said, of previous agreements were entitled to the land themselves; but after Te Peehi was wounded they surrendered it to him.⁷⁶ The other gift derived from Muaupoko, the tangata whenua whom Ngati Toa so resolutely killed and captured and expelled from their pa, but whose rights to the district Te Peehi's people would recognise before Te Rauparaha's.

74. Roera Hukiki, quoted ibid.

75. Wi Parata, 6 February 1890, W.G. Mair Papers, Vol. 11, Ngarara Block (Rehearing).

76. Ibid. See also Wi Parata, MLC, Ngarara Block (Rehearing), pp.259-260; 'Life and Times', p.63.

In gratitude that his life had been spared, they related, Te Ratu called his people together; and Muaupoko gifted Waikanae to Te Peehi and Te Rangihiroa, pointing out all their eel weirs on the land.⁷⁷

Te Peehi, subsequently, gifted land at Muaupoko (inland of Waikanae) to his relative Te Puoho of Ngati Tama. Then Te Puoho's daughter married the son of the Otaraua chief Te Tupe, and when Te Puoho left the district he gifted Muaupoko to Otaraua.⁷⁸ As for Waikanae itself, it was gifted to the Kaitangata chief Haukaione. There are two versions of the story. One is that Haukaione's daughter Pohe had been set aside as a wife for Te Rangihiroa. By the time she arrived from the north, however, Te Rangihiroa had taken another wife, and Te Peehi offered Haukaione land as utu for the slight.⁷⁹ According to the other story, Te Rangihiroa's wife Pohe was killed by Muaupoko in the same raid on Waikanae in which Te Peehi lost his children - soon after her arrival with Te Rauparaha's expedition; and the land was given to her father as utu for her death.⁸⁰ Haukaione, who migrated with Te Puoho's people immediately after Te Whakapaetahi, was thus safely installed at Waikanae when his Kaitangata and Ngati Hinetuhi relatives turned up in the main Ati Awa heke. Because of the gift, all Ati Awa took up residence with him on the land. And when in 1848 they made their heke back to Waitara, they fetched Te Rangihiroa's daughter Waipunaahau - the surviving representative of Te Peehi's mana - over from Kapiti, and returned Waikanae into her care:

77. Wi Parata, 6 February 1890, W.G. Mair Papers, Vol. 11, Ngarara Block (Rehearing).

78. Wi Parata, MLC, Ngarara Block (Rehearing), pp.260-261. The whakapapa shows Te Peehi's relationship to Te Puoho:

Kuri (tupuna of Ngati Kuri; a hapu of Ngati Toa)
 Kahuarangi = Pikauterangi
 Toi-toi = Waipunaahau
 Te Peehi Hinewairoro
 Te Puoho

79. Hohaia Pokaitara, 31 January and 1 February 1890, W.G. Mair Papers, Vol. 11, Ngarara Block (Rehearing).

80. Hira Maika, 3 February 1890, ibid. The Waikanae raid was the most successful of the early Muaupoko reprisals; Te Peehi left Waikanae soon afterwards, early in 1824, travelling to England and South America on a passing English vessel. He was away for several years.

"you have eaten of the fruit of the land", the Ngati Rahiri chief Kaingarara told his tamariki (people), "restore it now to the proper owners".⁸¹

Te Rauparaha had of course been quick to see the danger to his own prestige if every allied chief was free to negotiate about his own district with the pakeha. And with no lands of his own in the south worth speaking of, he took refuge in a general claim - a claim by virtue of his military achievements - to all the territory in which the allies were settled. According to the tidy version later presented by his son Tamihana, Te Rauparaha had started to divide (kotikoti) the land among his chiefs as he came south from Turakina; and as each successive heke reached Kapiti he allotted them some portion of his estate.⁸² In the first instance, all the allies owed him their rights to the land; all their boasted tuku were effective because of his initial defeat of the tangata whenua.

Pakeha payments, in any case, would finally settle the argument. And with the arrival of the British land buyers, Te Rauparaha and the allied chiefs embarked on a contest amongst themselves for recognition of their claims.

81. Ibid., See also evidence of Pikau Te Rangi, 21 February 1890, ibid. It was generally agreed that Te Puoho led the first heke south after Te Whakapaetahi; he seems also to have returned for a second party.

82. 'Life and Times', pp.29, 62-63.

CHAPTER 7

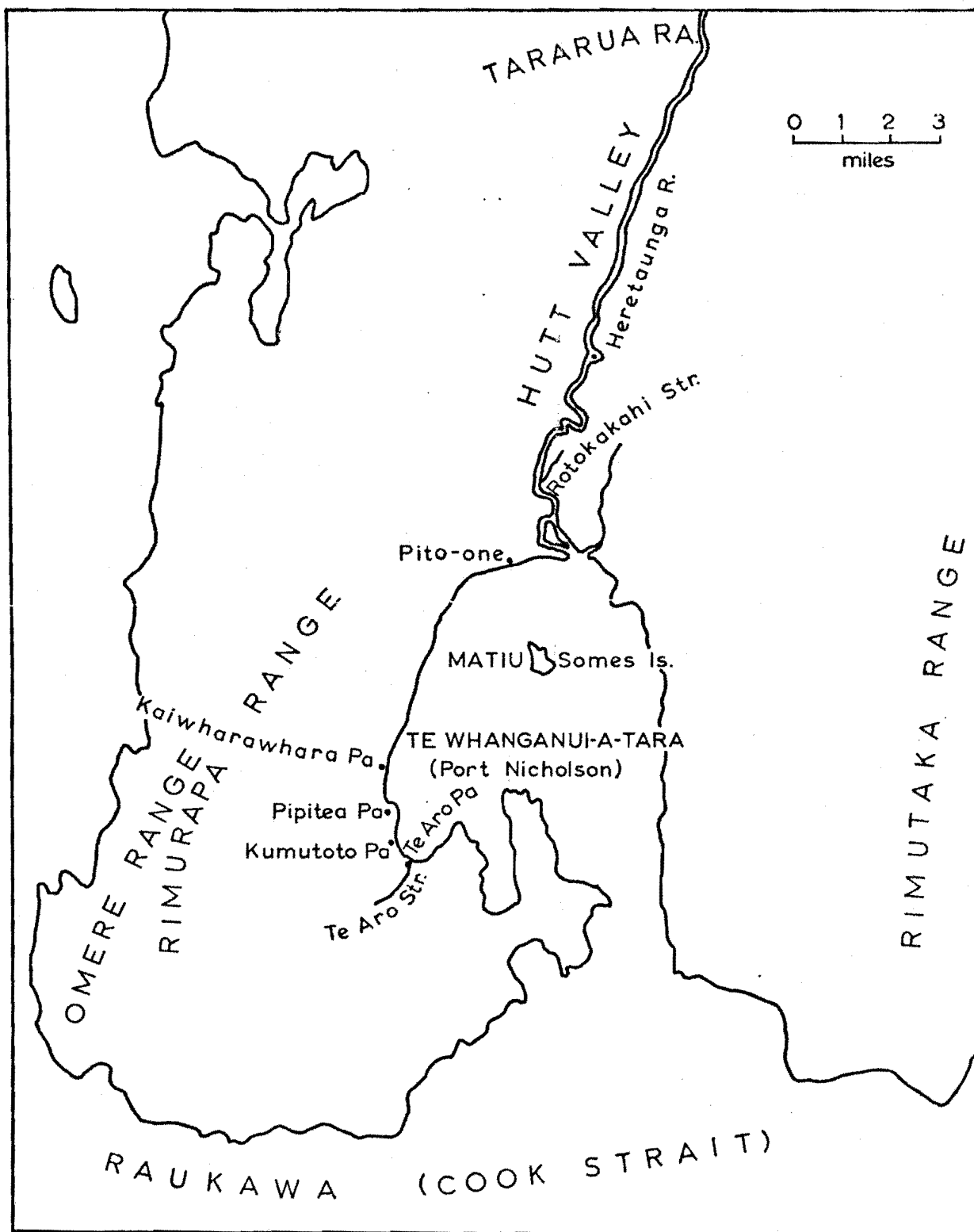
THE STRUGGLE FOR RECOGNITION

In June 1839 - according to his own account - a Taranaki man named Minarapa escorted the first land purchasers into Port Nicholson (Whanganui-a-Tara).¹ He was a taurekareka, captured and taken north from his home by Waikato. Later however he had made his way to Hokianga where, like many another in his position, he became attached to the mission and was baptised. Though he evidently pined for home, it was not so easy for a taurekareka to gain acceptance among his own people, and it was 1839 before he saw his chance to return. The Wesleyan missionaries John Hobbs and John Bumby were leading an expedition to the south of the island, and Minarapa joined it as a guide and interpreter. Surely, he reasoned, if a man brought pakeha and goods home with him, he could not be rejected out of hand. He therefore took ship with the missionaries, and set off to try his luck.²

But at Port Nicholson Minarapa's confidence abandoned him. He left the missionaries aboard ship, and went ashore by himself. The first village he visited was Ati Awa, and the people did not know him. But he was rescued from his discomfiture by a Taranaki woman who recognised him, and bore him off to Pipitea, her husband's village. Her husband, Wairarapa, came to meet them. Are you, he asked, from Taranaki? Minarapa did his best with this pregnant question: 'no I come from Ngapuhi', he replied. 'That is my ship standing yonder and on her are my European Missionaries and my Maori

1. Minarapa belonged to the Nga-Mahanga hapu of the Taranaki tribe. He later visited England in 1841-42, and returned to New Zealand where he was appointed to the police force.

2. Rangihatuake Minarapa, 'Wesleyan Purchase of Te Aro', 8 May 1893, trans. Elsdon Best. MS. in Alexander Turnbull Library. As Minarapa told it, the southern voyage was his own idea ('naku te tikanga kia haere mai matou ki Poneke').



Map 11.

Te Whanganui-a-Tara (Port Nicholson).

friends.' Only then, when he was assured of a friendly reception, did he bring the missionaries ashore.³

At Pipitea however he was still among Ati Awa, and he was ~~anxious~~ to get to his own relatives, who he had learned were living at Te Aro. Next morning he sent a messenger to their pa, and then - still alone for this first meeting - went across himself. The chiefs of Taranaki - Te Ngahuru, Mohi Ngaponga, Hemi Parai, Marangai - greeted him and listened to his speech with interest. The following day the missionaries came and spoke to Taranaki about Christianity, and about the Christian teachers who were now travelling all over New Zealand. And it was agreed that Taranaki should tapui (set aside) land for the site of a church. It was a small piece of land, less than three acres, on the shore by the Te Aro stream; and the missionaries climbed the nearby rise with their hosts to view its full extent. The next day there was a feast, and quantities of sea food and bush food were presented to the visitors. The pakeha, for their part, offered goods to the chiefs - blankets, tobacco, knives and scissors - little enough, as Hobbs wrote later, for it was all they had with them at the time.⁴ But he had forgotten the slates and books, the white shirts, and the cask of gunpowder which were landed at the same time - the teaching aids and the advance pay of Minarapa and his companions. The people of Te Aro, to whom such fine distinctions were foreign, distributed all the goods of Minarapa's pakeha generally. 'We have caught hold of this faith we have also caught hold [of] the possessions[,] payment for the land, we have them, We say nothing about Minarapa, our great desire is goods',

3. Rangihatuake Minarapa, 'Statement, 1839', trans. T.G. Hammond. MS. in Alexander Turnbull Library.

4. Ibid.; Minarapa, 'Wesleyan Purchase'; 'Mr Hobb's Statement about the Land at Port Nicholson', encl. in John Hobbs to the Secretaries, 17 April 1841, MMS, pp. 2-3. Hobbs stated that the 'sale' was made on 13 June 1839 by Te Tawarahi (Te Ngahuru).

said one speaker - who was honest, if nothing else, 'the tobacco, the cask of powder to shoot birds not to shoot men but should men turn to kill us; then the cask of powder will bite those men ...'⁵

The missionaries had done their best to explain that their goods were intended as utu (compensation) for the land which had been pointed out to them; Minarapa must also have tried to explain the northern practice of setting land aside for missionaries. Clearly, however, the Taranaki chiefs can have had no notion of alienating the land - or receiving the goods as a deposit on the purchase price. They understood simply that this was to be land where their pakeha would live; and when the ship had left, they began to build a chapel there.

The goods were important to Taranaki for quite another reason. At best, they enjoyed a precarious existence at Port Nicholson. They had come there in the wake of Haowhenua because they had nowhere else to go, and because they had relatives among some hapu of Ati Awa. But at home they had traditionally been enemies of Ati Awa, and it was only thirty years before that the two peoples had fought a great battle just north of New Plymouth.⁶ It was therefore not surprising that trouble soon broke out in the somewhat crowded conditions at Port Nicholson; somebody from Te Aro spoke a kanga (curse) against a chief of Pito-one and as a result there was renewed bad feeling between the two tribes. Taranaki were in a minority in the harbour, and they were obviously uncomfortably aware that their rights of usage were

5. Minarapa, 'Statement'. Possibly the cask of powder was Minarapa's own contribution to the proceedings. See also Minarapa, 'Wesleyan Purchase'.

6. Between about 1805 and 1810, Taranaki - seeking vengeance for chiefs killed in a previous Ati Awa raid - stormed the great Ngati Tawhirikura pa Rewarewa on the Waiwakaiho River, and took it with great loss. Ati Awa rallied, however, and expelled Taranaki from their territory. See Smith, History and Traditions, pp.258-268. Nga Mahanga seem to have been part of the Tama Te Uaua heke which reached the Kapiti coast early in 1833.

exercised at Ati Awa pleasure. Indeed, they may well have been constrained to offer the first fruits of their cultivations and their catches to Ati Awa. Their receipt of the mission goods therefore was a gesture of defiance, an assertion of independence from Ati Awa. Ignoring Te Wharepouri and Te Puni, the Ati Awa chiefs who doubtless thought themselves entitled to some portion of the goods, Taranaki presented all of them instead to Pomare of Ngati Mutunga. Pomare took the goods and, following northern practice, returned them to the chiefs for distribution.⁷

It was mere chance that Pomare was visiting Port Nicholson at the time. True, he had been the first of the allied chiefs to settle in the harbour. His wife had been a niece of Te Rauparaha; his sister was married to Te Peehi's teina Te Rangihiroa, and the descendants of both Ngati Toa chiefs were later to claim that their forbear had gifted him the land. But Pomare had had to fight his own way into possession of Whanganui-a-Tara. He defeated and expelled the Ngati Ira occupants; but he had a rough time of it with Ngati Kahungunu - who mounted raids from Wairarapa - and by 1835 he had abandoned the shore, and was living with his people on Matiu (Somes Island).⁸ The loss of his younger brother Tiwai at Haowhenua was the last straw, and Pomare returned his Ngati Toa wife to her people and prepared to depart.⁹ On 30 October 1835 Ngati Mutunga seized the trading brig Lord Rodney, and forcibly chartered her for two trips to the Chatham Islands. Nine hundred people were moved, with seven large canoes and seventy tons of seed potatoes; and Pomare's tribe never returned to the Port.¹⁰

7. Minarapa, 'Statement'. There were eight pa on the harbour shore.

8. Best, 'Te Whanga-nui-a-Tara', pp.154-157.

9. It was said that his wife's brothers were responsible for desecrating Tiwai's body after it had been buried. See Smith, History and Traditions, p.522; 'Life and Times', p.109.

10. For an account of the expedition, see McNab, Old Whaling Days, pp.137-142. The master of the Rodney was paid for his trouble, in pork, potatoes, powder, and old muskets.

Pomare's connection with Te Aro, in short, might well have been considered tenuous. Emboldened by the prospect of a resident missionary, Taranaki nevertheless decided to resurrect it. Their presentation of the goods to Pomare announced that their rights of occupation were derived not from Ati Awa but by gift from Ngati Mutunga; that they would consult Pomare rather than Te Wharepouri before they put a pakeha on the land. And it obliged Pomare - in case Ati Awa should think of evicting them from their pa - to come to their assistance.

Te Wharepouri got his own back a few months later. Late in September 1839 another ship arrived at Port Nicholson. The new pakeha were not missionaries, and they had called first at the Sounds and looked about for an interpreter. At Te Awaiti (Tory Channel) they had fallen in with one of the local pakeha - Dicky Barrett, who had married into Ati Awa, fought with them against Waikato in the siege of Mikotahi (1833), and later joined their migration south to become a shore whaler. Colonel Wakefield and his party on the Tory were delighted with Barrett's plumpness and jolliness, his 'jovial, ruddy face, twinkling eyes, and good-humoured smile ...', and with his promised help in their scheme of buying land on which to settle bodies of English immigrants.¹¹ But Barrett, like others of his ilk, had Maori considerations to put first, and he took Wakefield with his shipful of trade goods straight across to his own Ati Awa relatives at Pito-one; to his brother-in-law Te Wharepouri of Ngati Te Whiti, and Te Wharepouri's first

11. Edward Jerningham Wakefield, Adventure in New Zealand, from 1839 to 1844; with Some Account of the Beginning of the British Colonisation of the Islands (London, 1845; reprinted Auckland, n.d.), Vol. 1, pp. 35; 36-37.

cousin Te Puni of Ngati Tawhirikura.¹² On 20 September 1839 the Tory beat into Port Nicholson; on 25 September Wakefield brought up on deck the goods with which he intended to pay for the land, and on 27 September the goods were divided among the various Ati Awa chiefs and carried ashore. On the same day, the chiefs executed a deed conveying to the New Zealand Company the land bounded on one side by the Rimurapa ranges and on the other by the Rimutakas, and stretching forty English miles inland from the beach to the foot of the Tararua ranges; all the land, in short, of Port Nicholson harbour.¹³

The negotiations for the sale had lasted a week. Te Wharepouri and Te Puni had however given their enthusiastic support to Wakefield's plans the day he arrived, and the rest - as far as they were concerned - was merely the completing of formalities. And the formalities were well worth waiting for. Ati Awa took possession of pipes, razors, combs, umbrellas, clothing and yards of cloth, and these in addition to the meat of the payment: 100 red blankets, 120 muskets, 15 fowling pieces, 100 tomahawks, 100 cartouche boxes, a cask of ball cartridges, and 21 kegs of gunpowder.¹⁴ The impact of such wealth on a community starved of goods can

12. Barrett's wife was Wakaiwa Rawinia (Lavinia) Barrett, said to be the daughter of Kuke ki Mahurangi. The relationship between Te Puni and Te Wharepouri was as follows:

| | | | |
|------------|---|----------------|---------------|
| Takarangi | = | Raumahora | |
| Rongouaroa | = | Te Whiti Katua | |
| Aniwaniwa | = | Tawhirikura | |
| Rerewha | | Wahanga | Te Ata |
| Te Puni | | | Te Wharepouri |

See A Dictionary of New Zealand Biography, ed. G.H. Scholefield (Wellington, 1940), Vol. 2, 'Te Wharepouri', p.485.

13. Wakefield, Adventure in New Zealand, Vol. 1, pp.70-90; Contents of the Appendices of the Twelfth Report of the Directors of the New Zealand Company, April 26, 1844 (London, 1844), New Zealand Company Reports, Vol. 3 (1844), Hocken Library (Hereafter 'New Zealand Company, Appendices of Twelfth Report'), Appendix F, No. 10, pp.140F-144F.

14. Ibid.

only be imagined. There was only one pakeha living in the harbour when Wakefield arrived. There were neither whalers nor ships.¹⁵ A year before, Te Wharepouri had tried to persuade other hapu of Ati Awa to return from Te Awaiti to Port Nicholson. 'Ma wai e noho to awa piro', they had sneered, 'ka pa ko Arapawa, kia inu ake i te wai o te Pakirikiri e tia ko aku hina,' ('Who would live in your poor harbour, when we can drink the water of the fat blue cod which resembles the grey in my hair.')¹⁶ Now, for the first time, Ngati Te Whiti and Ngati Tawhirikura were in a position to excite the envy of their neighbours. They had quantities of guns and powder - and the promise of more. Wakefield had promised them pakeha; he had urged them to plant more food. Te Wharepouri's people were suddenly a force to be reckoned with.

His new wealth gave Te Wharepouri the opportunity to put his more obstreperous neighbours in their place. He began, of course, with the people of Te Aro, whose dealings with the Wesleyans had greatly irritated him - so much so, as Minarapa represented it, that '[t]he reason why Te Wharepouri and other chiefs sold the Land was the purchase of the site at Te Aro, The desire also [he added] of the people to possess goods ...'¹⁷ Certainly Taranaki presumption had contributed to Te Wharepouri's impatience to conclude a transaction of his own; and he greatly enjoyed his retaliation against them. Colonel Wakefield, hearing of the previous sale to the missionaries of such a desirable piece of land, wanted to buy it himself from Taranaki; but Te Wharepouri objected, saying that he had already paid for 'the whole of the land and everything upon it.'¹⁸ Taranaki neither

15. The shipping had doubtless being discouraged by Pomare's hijacking of 1835, and Te Wharepouri's unsuccessful attempt early the following year (see pp.175,187 above). See McNab, Old Whaling Days, pp.142-147.

16. Dictionary of New Zealand Biography, Vol. 2, p.486.

17. Minarapa, 'Statement'.

18. Wakefield, Adventure in New Zealand, Vol. 1, p.95.

visited the Tory - the ship of Te Wharepouri's pakeha - nor went to meet them on Ati Awa ground. In their absence, Te Wharepouri convinced Wakefield without difficulty that they were mere taurekareka, people under his own authority who could not properly have made independent arrangements with the Wesleyans.¹⁹ And to emphasise his point, he made up a pile of goods for them - smaller than those for the other settlements - and sent it to be landed on their beach. Taranaki ignored it for as long as they could, but eventually temptation got the better of them. They brought up the goods to their pa, and - as far as Te Wharepouri was concerned - acquiesced in his authority to conduct transactions on their behalf.²⁰

Te Wharepouri's defiance, however, was aimed in the first instance at Te Rauparaha. It was not for Te Aro's benefit, but for Te Rauparaha's that he pointed out the hills on either side of the harbour as his own. His people claimed Port Nicholson for themselves. They had made their own arrangements with Ngati Mutunga; they had held the land against Ngati Kahungunu and made peace with them on their own account.²¹ They saw no need now to recognise any claims Te Rauparaha might think he had acquired at Port Nicholson - or might wish to acquire, at their moment of success. They neither consulted him, nor sent him any of the payment.

Te Rauparaha, when he heard, was furious. The attack at Te Kuititanga came only three weeks later, and it is almost surprising that it should have been made on Ngati Rahiri and Ngati Kura rather than on Ngati Te Whiti at Port Nicholson.²² But no chief with his wits about him ever

19. Taurekareka was a standard term of abuse. E.J. Wakefield took it literally; cf. his references to the 'slave settlement', ibid., p.93.

20. Ibid., pp.89, 93; James Buller to John Hobbs, 12 April 1841, pp.1-2, encl. in John Hobbs to the Secretaries, 17 April 1841, MMS.

21. Te Wharepouri's wife and daughter (or niece) had been captured in a Ngati Kahungunu raid on a Ngati Te Whiti working party at Lake Wairarapa, and returned to their people. As a result of this gesture, Te Wharepouri travelled to Mahia (probably in 1835 or 36) to make peace. Ngati Kahungunu returned the visit, and the two tribes agreed on the Rimutakas as the boundary between them. See Smith, History and Traditions, pp.456-458.

22. Henry Williams recorded that Te Kuititanga was fought 'owing to the payment for Port Nicholson not being generally distributed'. 'Journal of Rev. H. Williams', 22 November 1839.

launched an attack which might frighten pakeha away. Ngati Raukawa, moreover, had just got home from attending the tangi for Te Rauparaha's elder sister Waitohi, and it is possible that they were chiefly anxious to impress on the Waikanae Ati Awa that only respect for Waitohi had prevented them from crossing her boundary at Kukutauaki earlier.²³ Te Rauparaha could therefore hope both that the assault might serve as a warning to Te Wharepouri, and that it might lure him out of his harbour to go to the assistance of Waikanae, where he himself could be attacked.²⁴

The fight, in any case, was badly timed. The Tory arrived unexpectedly off Kapiti only a few hours after it had finished, and Te Rauparaha's embarrassment was patent. Nothing was said about land or goods, and Te Rauparaha's most pressing concern was to impress on Wakefield his own disapproval of such hostilities. It was not until the following day that he recovered himself, and began to assert his own claim to the new pakeha - eating their food, drinking their grog, and pointing out those articles he saw on the ship which he would like for himself.²⁵ And when he got down to business he lost no time in taking Wakefield to task for his activities at Port Nicholson. What did he think he was doing, dealing with people who had no right to the land, and lived there only 'on sufferance'? "He said, 'That is my country, give me some blankets for it'. He asked also for some muskets, pipes, iron pots and other goods. Colonel

23. Waitohi had established the boundary after Haowhenua. Ati Awa were convinced that Ngati Raukawa had planned the attack during the tangi. See, for instance, evidence of Hohaia Pokaitara, 1 February 1890, W.G. Mair Papers, Vol. 11, Ngarara Block (Rehearing).

24. Te Wharepouri did in fact reach the coast with a taua, on 22 October 1839, but nobody wanted to fight while Wakefield was about, and the missionaries arrived immediately afterwards. 'New Zealand Company, Appendices of Twelfth Report', Appendix F, p.103F.

25. Wakefield, Adventure in New Zealand, Vol. 1, pp.113, 125.

Wakefield said, 'No, no, I won't.' He then asked him for some money, but he [Wakefield] said, 'I have got no money'. Rauparaha told him that they were all his settlements."²⁶

But Te Rauparaha did get his goods out of Wakefield in the end. He took six single-barrelled and five double-barrelled guns (two each for Te Rauparaha and Te Peehi's son Te Hiko; one for his own nephew Te Rangihaeata), as much gunpowder and ball cartridge as Te Wharepouri had received; with tobacco, clothing, pipes, axes, paper, knives, and sundry other articles as well. And he took the opportunity of making it clear to Wakefield that the lands where he was chief were of very wide extent. He had already sent Wakefield a letter - dictated to a local pakeha - 'giving him the names of all the places he had conquered, and which he claimed by right of conquest from Taranaki and Wairarapa in the North Island, and from Queen Charlotte's Sound to Rahura [Arahura], on the west coast of the Southern (Middle) Island, and from Queen Charlotte's Sound to Wangaroa (Akaroa) on the east coast.'²⁷ At Kapiti he was at pains to repeat the names, listing all the territories and settlements whose people he considered - however ambitiously - to be under his mana: from the Mokau River, down the west coast to Port Nicholson, and in the north half of the South Island.²⁸

26. Irish University Press Series of British Parliamentary Papers. Colonies New Zealand (Shannon, 1969), Vol. 5; 'Correspondence and Papers relating to the Native Population, the Distribution of Land and other Affairs in New Zealand 1846-47' [1846 (203) 30], 'The New Zealand Company: Despatches referring to the Titles to Land of the Company' (Hereafter 'Reports by Commissioner of Land Claims, 1846'), No. 5, evidence of Hiko, p.96 (104).

27. Ibid.

28. See Deed of Purchase, 25 October 1839, 'New Zealand Company, Appendices of Twelfth Report', Appendix F, No. 11, pp.144F-147F; Wakefield, Adventure in New Zealand, Vol. 1, pp.127-128.

When he had finished - and, he hoped, had superseded Te Wharepouriri in this pakeha's eyes as the chief of Port Nicholson, he and Te Hiko did as Wakefield asked, and put their marks to his deed. Two days later, on 26 October 1839, Te Rangihaeata came over from Mana to collect his share of the goods, and added his own mark.²⁹

Ngati Toa, of course, had dealt with pakeha in land before. A whaler or a trader might point out a piece of land where he wished to live, and in return he would deliver a quantity of goods. Sometimes the boundaries were pointed out exactly on the ground, sometimes a paper was drawn up. If the pakeha went away again, it did not matter; if he stayed, his rights of occupation were recognised like those of anybody else - though he might find it difficult to maintain exclusive rights to his stock. In either case, nothing very remarkable had happened. As Te Rauparaha said later, when explaining how he had come to give possession of a bit of land on Kapiti to the whaler Captain Mayhew: 'I thought it was an affair of no consequence.'³⁰ Wakefield's sale, similarly, was an unexceptional event. It hardly matters whether Te Rauparaha was aware of Wakefield's wish to 'buy' all the lands named in the deed - though it is highly likely that he was. For the chiefs had no interest in Wakefield's plans. What did interest them was his goods - and those of any other pakeha who wished to stage a distribution. After Wakefield left Kapiti Ngati Toa took £100 cash for Kapiti from visiting Sydney agents, and goods later valued at £378 for land stretching 30 miles north from Porirua, plus £40 in cash.³¹ Te Rauparaha joined with the Ati Awa chiefs Reretawhangawhanga and Tuainane

29. Ibid., pp.131-132.

30. Evidence of Te Rauparaha, Old Land Claims [OLC] 929 (William Mayhew), National Archives.

31. See 'New Zealand Company, Appendices of Twelfth Report', Appendix E, No. 19, pp.23-30E.

in taking payment of £150 'supplied to us in Arms, Ammunition, Tobacco, and various merchandize' for the land between the Waikanae and Otaki rivers; while another optimistic gentleman who landed a pile of goods thought that he had acquired 23,040 acres on the Kapiti coast.³²

James Heberley, a whaler living with Ati Awa in the Sounds, was one who had 'bought' land before the Company's arrival. He and Dicky Barrett, after a trip to Sydney, landed their goods at Te Awaiti; 'after[wards] we sold our trade for land And pigs', he wrote, 'so the reader may see that we had as much right to the land as the New Zealand company for [their] trade Was no better than ours the natives will sell the land over [and] over again as long as they can get trade so the reader may see that the old Settler had no more fair play than the New Zealand Company.'³³

Wakefield might have been warned by the attitude of the Waikanae Ati Awa who, fully expecting a second Ngati Raukawa attack after Te Kuititanga, were only too pleased to treat with him. With six hundred men gathered in their pa, and more expected, they demanded so many guns, and were so determined to refuse any other type of payment, that Wakefield appears to have abandoned the negotiations because he did not think he could afford them.³⁴ Or he might have been warned by the frantic excitement at Te Awaiti, where he returned at the end of October 1839 to gain the acquiescence of the local Ati Awa in Te Rauparaha's 'sale'. They were on the point of setting off to join their relatives at Waikanae, and 'a violent outcry for arms prevailed, and any quantity of pigs was offered in exchange'.³⁵ On 2 November Wakefield ascertained that 'all were willing to cede all their

32. See deed of sale (45/1436), OLC, 130 (Daniel Cooper, James Holt, William Barnard Rhodes); 'New Zealand Company, Appendices of Twelfth Report', Appendix E, No. 19, p.27E (case of Frederic Peterson).

33. James Heberley, 'Reminiscences', MS. in Alexander Turnbull Library. Heberley was better known as 'Worser'.

34. 'New Zealand Company, Appendices of Twelfth Report', Appendix F, No. 7, p. 115F.

35. Ibid., p.117F.

rights to territory wherever situated ...', and six days later he made a third transfer of goods to a group which rushed so desperately upon them that the ship's crew took to the rigging in fear for their lives.³⁶ The weapons made over included sixty muskets, ten single-barrelled guns, three double-barrelled guns, forty kegs of gunpowder, fifty cartouche boxes, five quires of bullet paper, and one hundred tomahawks.³⁷

Wakefield had actually exempted Kapiti and Mana from his purchase because he knew how many times they had been sold. But the obvious inference - that Ngati Toa would attach no more importance to this transaction than to any of the others - eluded him. It was not his fault that he could not make himself understood. He had, he thought, competent interpreters; he negotiated both with those who lived on the land and with those who claimed rights in it from a distance. He went out of his way to explain to his Maori audiences that they were losing their land forever, that large numbers of pakeha were coming, that reserves would be set aside for the Maori to live on. "When people arrive from England it [sic] will show you your part, the whole of you" ran part of Dicky Barrett's translation to Ati Awa.³⁸ At Kapiti, in Barrett's absence - for he had not the nerve to face Te Rauparaha, and excused himself to Wakefield on the grounds of his wife's illness - the interpreter Brooks made a plan on the ground like a chequer board, and showed that nine squares would be pakeha land, and one for the Maoris.³⁹ And at least one Ati Awa chief is reported to have objected strenuously to the whole proceedings, simply

36. Ibid.; see also Heberley, 'Reminiscences'.

37. 'New Zealand Company, Appendices of Twelfth Report', Appendix F, No. 12, p. 148F.

38. BPP, 'Reports by Commissioner of Land Claims, 1846', No. 1, Spain to FitzRoy, 31 March 1845, p.8(16).

39. Ibid., No. 5, p.97 (105).

because he took them seriously. "What will you say", asked Puakawa, "when many, many White men come here, and drive you all away into the mountains?"⁴⁰

Te Wharepouri, however, was not expecting many pakeha. After he watched the first settlers crowd on to his beach, he went sadly to tell Wakefield that he thought he would return to Taranaki:

I know that we sold you the land, and that no more White people have come to take it than you told me. But I thought you were telling lies, and that you had not so many followers. I thought you would have nine or ten, or perhaps as many as there are at Te-awa-iti. I thought that I could get one placed at each pa, as a White man to barter with the people and keep us well supplied with arms and clothing; and that I should be able to keep these White men under my hand and regulate their trade myself. But I see that each ship holds two hundred, and I believe, now, that you have more coming. They are all well armed; and they are strong of heart, for they have begun to build their houses without talking. They will be too strong for us ...⁴¹

Te Wharepouri had thought Wakefield a braggart. And if he could not envisage Port Nicholson bustling with pakeha, what must Ngati Toa have made of Wakefield's talk of settling them throughout both islands? The more land Wakefield wished to buy for his people, the less plausible he seemed.⁴²

It may therefore be said with complete certainty that at the time they signed the deeds, neither Ngati Toa nor Ati Awa had the least notion that the result of their action would be to transfer to the pakeha overriding and exclusive rights to their lands. They knew only one way of dispossessing the inhabitants of a village, and that was by fighting them and forcing them to retreat. Wakefield had been unable to convey to them that he was bringing a new sort of pakeha, pakeha with women and children of their own,

40. Wakefield, Adventure in New Zealand, Vol. 1, p.87.

41. Ibid., pp.202-203. There were at the time three whaling stations and forty Europeans at Te Awaitei.

42. William Wakefield himself reported that after the sale, some Ngati Toa 'betrayed a notion that the sale would not affect their interests, from an insufficiency of emigrants arriving to occupy so vast a space, to prevent them retaining possession of any parts they choose, or of even reselling them at the expiration of a reasonable period'. 'New Zealand Company, Appendices of Twelfth Report', Appendix F, No. 7, p.111F.

who would form independent, distinct communities which they would indeed protect, if necessary, by force. And because Wakefield posed no physical threat to their rights of occupation, no danger could be apprehended from either his paper or his goods. The chiefs marked the paper because it was part of the proceedings; but it was not a part which had any meaning for them. They were not literate. They had no missionary, no books, and no acquaintance with any group of people who were accustomed to conduct written transactions. It was therefore impossible that they could entertain any idea of the significance to literate men of a legal document, or of the binding nature of the marks which they themselves had made upon the deed. More immediately, they had no way of associating their marks on the paper with the transference of their land claims to the pakeha.

The sale of land to the Company was in short no sale at all. It was only when Wakefield's promised hordes were discharged on to Pito-one beach that the chiefs were forced to re-examine their part in his transaction. And the Company was saved from great embarrassment only because Te Puni and Te Rauparaha both decided that their receipt of Wakefield's goods committed them to maintaining the claims, or some of the claims, which he had recognised. It was not that they felt any moral obligation to accommodate the new arrivals; rather, they could not wholly repudiate the sales without seeming to compromise their own right to have treated in the first place.

Te Wharepourī and Te Puni, who had 'sold' less land than Te Rauparaha, and whose pakeha arrived first, had less room for manoeuvre. For when the settlers landed at Port Nicholson, chiefs who had been perfectly happy to accept Wakefield's goods from Te Wharepourī decided it was time to back out. The people of Te Aro received their Wesleyan missionary - determined to uphold his Society's purchase - in December 1840 and, thus encouraged, began loudly to deny their participation in the Wakefield sale and to pull up the marks of Company surveyors. The house of one settler who had initially been

allowed to build was pushed into the sea, and Taranaki were mollified only by the Colonial Secretary's written assurance that the British Commissioner would see their land properly purchased.⁴³ And Ngatata and his son Wi Tako, Ati Awa chiefs of the Kumutoto pa, had a new deed of sale drawn up for them to execute before they would allow one Company settler on to his section by their pa, taking payment of a double-barrelled gun, a blanket, a set of china, and a crystal bottle.⁴⁴

The Pipitea people, in particular, were very disinclined to accept Te Wharepouri's pakeha. Their chief Te Ropiha Moturoa, who was married to the sister of the Ngati Mutunga chief Patukawenga, was now to be found claiming both Pipitea and Te Aro by gift from his brother-in-law. He had arrived in Port Nicholson, he maintained, at the invitation of Ngati Mutunga - six months before Te Wharepouri.⁴⁵ What rights could Te Wharepouri possibly boast to his place? By way of stressing their point, the Pipitea people seized on a newcomer from Sydney - Richard Tod - and at the beginning of January 1840 sold him two small pieces of land, taking twelve sovereigns for one, and thirty sovereigns and a couple of blankets for the other. A third party to the sale, it may be added, was Richard Davis, a teacher to whom Pipitea had allocated a piece of land to cultivate after his arrival with Minarapa. Davis could both read and write, and he expressly excluded his land from Wakefield's sale. But in retrospect it must have seemed to him that the best way to safeguard his claims was to sell some of them, and get a deed of his own.⁴⁶

43. The Journal of Ensign Best 1837-1843, ed. Nancy M. Taylor (Wellington, 1966), pp.238-239. See also BPP, 'Reports by Commissioner of Land Claims, 1846', Encl. 2 in No. 1, Spain to FitzRoy, 31 March 1845, pp.20-22 (28-29).

44. See 'Kumutoto Land Sale Document', 12 March 1840, MS. in Alexander Turnbull Library.

45. Evidence of Ropiha Moturoa, 8 October 1842, OLC 465 (Robert Tod). Moturoa belonged to the Matchou hapu of Taranaki, and was related to Ati Awa.

46. Evidence of Robert Tod, 26 May 1842, Reihana Rewete, 18 July 1842, ibid.; evidence of Ropiha Moturoa, 20 June 1842, Mangatuku, 22 July 1842, Reihana Rewete, 11 August 1842, OLC 466 (Richard Tod). See also 'Journal of Rev. H. Williams', 7 November 1839. The two deeds were dated 3 and 4 January respectively.

Te Ropiha Moturoa's sale was an awkward affair both for Te Wharepouri and for Wakefield. For what if it should set a precedent? If his transaction were allowed to stand, any chief unhappy with Wakefield's sale might dispose of bits of land to newcomers, and the Company's settlement would soon be a shambles. But as Richard Davis later related, Tod had seized on the technical weakness in Wakefield's title: "Mr Tod then said to me did Moturoa go to the ship [the Tory]? I said no; Did he hold the pen? I replied No. He then said Moturoa's Land is his own because he did not write his name".⁴⁷ As far as Tod was concerned - and the Commissioner later upheld his title - nobody could stop him conducting his own purchase, and the people of Pipitea for their part were prepared to defend his title - and hence their own - to the end.⁴⁸ They interfered with Company surveyors, and with Company settlers who came to take possession of their land; they turned off a party which came to pull down Tod's store. "I did not [want] the Europeans to come & sit down here at [Pipitea]", said Ropiha Moturoa; "I was angry, and wished to turn back Captain Smith and Colonel Wakefield to [Pito-one], to the Land they had purchased, Puni's Place ..."⁴⁹ Te Puni and his cousin had sold their land, and they could find a place for all their pakeha themselves.

As for Moturoa, he was shortly to acquire his own, superior pakeha: the Queen's soldiers and officers, 'When first we came to Port Nicholson' wrote Lieutenant A.D.W. Best, who arrived in June 1840 with Willoughby Shortland to proclaim the Queen's sovereignty at the Port, 'these two

47. Evidence of Reihana Rewete, 18 July 1842, OLC 465.

48. See Spain's awards at Port Nicholson, BPP, 'Reports by Commissioner of Land Claims, 1846', No. 1, Spain to FitzRoy, 31 March 1845, p.18 (26).

49. Evidence of Ropiha Moturoa, 8 October 1842, OLC 465.

[Moturoa and his brother Wairarapa] were very indignant that we had taken up our position on the grounds of their inferiors [at Pito-one] our removal nearly led to a fight and now they say The Governor & soldiers live with us & we are their friends.⁵⁰ The following month Moturoa was able to rub salt in the Pito-one wound, inviting all the chiefs of Port Nicholson to a feast of flour gruel, to which his pakeha Shortland contributed salt pork, tea and sugar.⁵¹

Te Moturoa cultivated the officials; the Te Aro people had their missionary, and Wi Tako was eventually to gain the ear of the Protector of Aborigines. With this new breed of pakeha for friends, all three parties found their objections to Te Wharepouri's sale well worth persisting in. Commissioner William Spain, who was sent by the British Government in 1842 to investigate all land purchases made before the Annexation concluded that the Company's title to Port Nicholson was 'most defective'.⁵² Wi Tako told him that he had signed the paper because he had been told the Queen would see his name; Te Ropiha Moturoa that he thought he had received a payment for the Tory's anchorage. The Te Aro people remembered that Te Wharepouri had sent them some goods, but they considered them merely a present to his sister, who lived in their pa - never as a payment for land.⁵³

50. Journal of Ensign Best, p.234.

51. Ibid., pp.230-231.

52. BPP, 'Reports by Commissioner of Land Claims, 1846', No. 1, Spain to FitzRoy, 31 March 1845, p.11 (19). The Government and the New Zealand Company had reached an agreement in November 1840, by which the Company would waive its claim to 20 million acres of land, in return for a Government grant of four acres for every pound spend on colonisation. Peter Adams, Fatal Necessity; British Intervention in New Zealand 1830-1847 (Auckland, 1977), pp.181-182.

53. Evidence of Ropiha Moturoa, 8 October 1842, OLC 465.

In 1844 all of them were awarded new payments, in return for executing documents which made their land over to the Company. Wi Tako got £200, Te Ropiha Moturoa £200, and the Taranaki of Te Aro £300.⁵⁴

Te Puni and Te Wharepouri's people were offered £30 each, which they refused point blank to accept. Either the land had been sold, it seemed to them, or it had not been sold. As far as Te Puni was concerned, the sale had consisted in his taking payment from Wakefield. If he took a second payment, he would in effect make a new sale of the land - thus rendering the first sale void. In other words, he would not accept that the deed - on which all pakeha parties placed such emphasis - was the instrument of sale. The deed did not count because he had not understood it; he had sold the land by taking the goods. If this was in fact a second sale, he expected a new payment, equal to that which the other chiefs were getting; and the thirty pounds the Protector offered him were merely insulting. If the first sale stood, he had already been paid - as had all the others - and he refused to retract his right to have conducted the sale on their behalf. "I do not wish to grieve any of you", he said, "but I will not take your money."⁵⁵

But he did distress the Commissioner and Protector of Aborigines, George Clarke. They had to make over £60 before the sale of Port Nicholson could be said to be concluded, and it was money they could not properly keep. In vain they urged that it was not a payment, but a present.⁵⁶ The chiefs, as Spain well knew, did not recognise the distinction. Spain, in any case, was doubtless uncomfortably aware that his arguments were less than logical.

54. BPP, 'Reports by Commissioner of Land Claims, 1846', Encl. 4 in No. 1, Spain to FitzRoy, 31 March 1845, p.23 (31).

55. Ibid., Encl. 5 in No. 1, Spain to FitzRoy, 31 March 1845, p.27 (35).

56. Ibid., p.26 (34).

Te Puni could swallow - however reluctantly - the explanation that Taranaki had not agreed to Wakefield's sale, even that Te Ropiha had not been present and, as he maintained, had sent his allotment of goods back later. But Wi Tako had been an active participant in the proceedings; and yet he had managed to extract a whole new payment from the Protector. Spain, who aimed to impress the principles of British justice on all the chiefs, thought Clarke's proceedings disgraceful.⁵⁷

Te Wharepouri was spared the final humiliation of witnessing Clarke's payments to his opponents. He died in November 1841, a bitterly disappointed man. The settlers had soon left his soggy land at Pito-one to found their town Britannia at Thorndon, on the western shores of the harbour; the new Government officials had followed them and ignored him.⁵⁸ The status which he longed to achieve as a chief possessed of pakeha and of property still eluded him and, as E.J. Wakefield has poignantly recorded: 'he pined, and fretted, and stormed, and grew thin and haggard, negligent in his dress, and undignified in his manner; he took to drink and begging; and died ...'⁵⁹

Happily, he was spared too the blow which he would have felt even more severely: the payment made to Te Rauparaha and Te Rangihaeata for Heretaunga (the Hutt). Whether the Ati Awa had actually exercised trapping or cultivating rights up the Hutt valley before 1840 is doubtful. But it was not his rights of usage Te Wharepouri would have wished to protect. It was his sale, his moment of triumph in which he had defied Te Rauparaha. And Te Rauparaha for his part was far less interested in safeguarding any Ngati Toa rights in the valley than in successfully challenging an act which he had held from the start to be not only an impertinence, but a dangerous example to other chiefs.

57. Ibid., No. 1, Spain to FitzRoy, 31 March 1845, p.9 (17).

58. Journal of Ensign Best, pp.226, 230; Wakefield, Adventure in New Zealand, Vol. 2, pp.309-310.

59. Ibid., p.311.

It does seem, however, that Ngati Toa may earlier have established their rights to the Hutt. According to one account, the bush had been allocated for the use of Ngati Rangatahi (a small group of tangata whenua) who were accustomed to go there for birds and eels, and to make offerings of their catch to Ngati Toa.⁶⁰ And it was a Ngati Toa chief - Te Rangihaeata, perhaps - who believed himself slighted in the distribution of these offerings, and who retaliated by placing the entire district under rahui, forcing Kapara Te Hau's people to abandon their visits there. When the settlers arrived, however, Ngati Toa reconsidered the position. Possibly Ngati Rangatahi took the initiative themselves; but it seems far more likely that it was intimated to them that they might now return to the Hutt. They assembled a large gift for the injured Ngati Toa chief, who removed the rahui, and at the end of 1841 they began to drift on to the land in small parties, and to make new cultivations. By obvious arrangement with Ngati Toa, they also obstructed the settlers as they began to take up Hutt sections. Only on the payment of 'presents' were pakeha allowed to proceed, and then only within boundaries defined by Ngati Rangatahi. Clearly, they had been instructed to impress on the settlers that if they occupied the Hutt it was not by virtue of any sale, but on mere sufferance.⁶¹

60. Ngati Rangatahi were variously said to have been defeated by Ngati Kahungunu before the arrival of the heke (after which most of them returned from the Upper Hutt Valley to Whanganui), and to have come south from Whanganui and assisted the Ngati Toa raupatu. Both explanations may be true. Originally, of course, they had come south from Otorohanga after the battle of Taraingahere (see pp.91-93 above). Their relationship with Ngati Toa probably explains why they were allowed to remain in the Hutt.

61. R. Davies Hanson to FitzRoy, 24 July 1846, printed by FitzRoy for the Colonial Office, CO 209/49, pp.501-502, 504.

Te Rauparaha's plans to occupy the Hutt, however, all but backfired. From the middle of 1842 a second group joined Ngati Rangatahi on the land. Taringa Kuri's Ngati Tama had never exercised rights on the Hutt. Their pa was at Kaiwharawhara, and they became involved largely because - while the settlers were crowding them at home - they did not at all understand the occupation of the new reserves.⁶² They went on to the Hutt, in fact, as professional protestors. Possibly Kapara Te Hau invited Taringa Kuri, to swell the numbers of his people. It is more likely, however, that he was sent by Te Rauparaha himself, and that Te Rauparaha hoped the increased population would convince the Government of the need to make a new purchase of the land. But Taringa Kuri, whose Ngati Tama had helped Ngati Mutunga drive the Ngati Ira from Port Nicholson in the first place, was not so easily to be manipulated. If he did Te Rauparaha's dirty work in the Hutt, it was because he hoped himself to gain some recognition.

Ngati Tama, at any rate, played their part well. There were soon a couple of hundred people on the Hutt, clearing acres of timber for new cultivations - while Ati Awa fumed and pleaded with the Company that they be allowed to turn them off by force.⁶³ A series of small delegations led by Protector Halswell made agreements with the chiefs which they broke at once. Surveyors were marched off the land, huts erected by the settlers burnt or occupied, timber felled on their properties. William Swainson, with three hundred-acre sections on the banks of the Hutt, was especially troubled by Taringa Kuri's men, who had taken up occupation on land close

62. *Ibid.*, p.502. Taringa Kuri was also known as Kaeaea; he was Te Puoho's brother.

63. On one occasion they went armed to do just that, but Spain and Clarke intervened to prevent hostilities. Wakefield, *Adventure in New Zealand*, Vol. 2, p.319. See also 'New Zealand Company, Appendices of Twelfth Report', Appendix H, No. 10, Wakefield to Shortland, 23 January 1843.

to his house. Affecting to help him clear the bush, they cut it with such grim purpose that they soon ruined the plans he had for his property.

'Belt after belt, clump after clump, fell beneath the merciless axes of his followers; and the native clearing at length reached to within a few yards of the house and [Swainson's] little patch of wheat. They now openly laughed at their victim, and told him to "look out", for as the dry weather came on, they should set fire to the fallen wood ... How his wheat, nearly ripe, and his thatched roofs were saved from the fire, I do not know,' wrote Jerningham Wakefield; 'but the clearing was burned off, potatoes planted and gathered more than once, a pa was built on the river-bank ...'⁶⁴

This was exactly what Te Rauparaha had had in mind. But in 1843 Taringa Kuri gave his evidence before Spain's court at Port Nicholson, and confirmed that he had executed Wakefield's deed and taken payment from him. And had the Ngati Rangatahi chiefs been there? "[T]hey were all there", said Taringa Kuri; "I invited them."⁶⁵ As far as Spain was concerned, that was an end of it. All the present inhabitants of the Hutt had given their sanction to the sale, and there was no need to make them - or any chief of Ngati Toa - any further payment. Spain saw Taringa Kuri's occupation of the Hutt for what it was, and he did not think it fair that the Company should have to pay mere opportunists.⁶⁶

Te Rauparaha was saved from ignominy by the Wairau disaster of 1843 - which left all the Government officials with a sense of guilt. It gave him an immediately ally, for instance, in Governor FitzRoy. In January 1844 FitzRoy told William Wakefield bluntly that the Maoris were

64. Wakefield, Adventure in New Zealand, Vol. 2, pp.318-319. See also 'New Zealand Company, Appendices of Twelfth Report', Appendix H, No. 24*, and p.25H.

65. Ibid., p.27H.

66. BPP, 'Reports by Commissioner of Land Claims, 1846', No. 1, Spain to FitzRoy, 31 March 1845, p.15 (23).

entitled to retain their cultivations, and he went on to define cultivations as lands "now used ... for vegetable productions, or which have been so used by the aboriginal natives of New Zealand since the establishment of the colony".⁶⁷ Further, he implied, if Swainson and other Hutt settlers found that the Company could not put them in possession of their land, they might find remedy in action at law against the Company.⁶⁸ The following week Te Rauparaha received the Governor at Waikanae, and for the first time learned that the Government might entertain his claims at Port Nicholson. He was set to negotiate with an official who seemed to him a boy: George Clarke junior, the new Chief Protector.

Te Rauparaha thought that he would get what he wanted out of Clarke without difficulty. He demanded that he be paid first, before any payment was made at Port Nicholson. He demanded that payment be made to himself and to Pomare of Ngati Mutunga - the only other chief whose right to the harbour he was prepared to recognise - thus excluding Ati Awa from the proceedings altogether. He demanded that Port Nicholson be dealt with first, as a separate district; when that payment was settled, he would talk about the Hutt. For the first time he defined a boundary between the two: a small stream named Rotokakahi. There was no mention of a payment to the Maori occupants of the Hutt.⁶⁹

Two or three weeks later, Te Rauparaha learnt that Clarke had distributed payments in Port Nicholson before coming to him, and the money set aside for him was less than that to be given to Ati Awa and Taranaki. £1050 was allowed for the extinguishing of claims to Port Nicholson; only

67. Ibid., Encl. 1 in No. 1, 'Minutes of the Conference ...', p.20 (28).

68. Ibid., pp.19-20 (27-28).

69. Ibid., Encl. 8 in No. 1, Te Rauparaha to Spain, pp.34-35 (42-43).

£300 of it - including £100 for crop compensation - was for himself and Te Rangihaeata. Worse, there was to be only a single, total payment for Port Nicholson and the Hutt, to be made indiscriminately to himself and to Ati Awa. 'What can I do?' he wrote angrily to Clarke and Spain. '[Y]ou two reduced the payment for Rangihaeata, the man to whom the land belongs, besides your mixing up the payment for the Hutt with that of Port Nicholson. It was said, when you have given us the payment for Port Nicholson, and that is settled, we will negotiate about the Hutt.'⁷⁰ But after this failure he abandoned his brief struggle for Port Nicholson, and held out instead for an independent payment for the Hutt. When Clarke failed to cooperate, he simply stepped up the pressure on the settlers - apologising at the same time for his inability to interfere with those whose land it really was. On 8 March 1844, when Spain and Clarke came to pay him, he refused to take their money. "I will not hear of any boundaries that include Rotokakahi. The natives who reside on the spot will by no means consent."⁷¹ The land, he reminded them, was Taringa Kuri's; though it was Rangihaeata who must be convinced to take the payment.

These, it may be thought, were simple, even transparent tactics. But Te Rauparaha confused both Clarke and the Superintendent Mathew Richmond into believing that if the two Ngati Toa chiefs were paid, the obstruction on the Hutt would cease. Taringa Kuri, meanwhile, in accordance with Te Rauparaha's request, was cutting a boundary line at Rotokakahi - a visual aid to the pakeha - and by the end of the month there was a track a mile long, and thirty to forty yards broad. The resident Maoris did not move, and they were still there at the end of the year.⁷² Clarke gave in, and in

70. Ibid., p.35 (43)

71. Ibid., Encl. 6 in No. 1, [Account of conference with Te Rauparaha], p. 30 (38).

72. Ibid., Encl. 7 in No. 1, 'Narrative of Proceedings ...', pp.31-33 (39-41).

November - without consulting Spain, whom he knew would not approve - he paid Te Rauparaha £400 (£200 each for him and Te Rangihaeata) in return for their sale (tuku) of the Hutt to the Governor.⁷³

Taringa Kuri and Kapara Te Hau were left to fend for themselves. And as they renewed their planting efforts, and went back to obstructing the settlers, the Government found that their payment to Te Rauparaha had not solved anything. Te Rauparaha went on promising assistance, sending messages to the recalcitrants; on one occasion he even visited them. They insulted him, it is true, but it is doubtful whether he was very distressed.⁷⁴ If they made life uncomfortable for the settlers, so much the better. For after the sale, Te Rauparaha no longer really cared what happened on the Hutt. He had got what he wanted from the Government: his payment, his recognition, and his triumph over Ati Awa.

With his South Island claims, too, Te Rauparaha initially enjoyed marked success. Indeed, it was South Island land which he had first decided to set apart for sale to Wakefield, should payment for his goods in land become necessary. Why Te Rauparaha should within a month of his execution of the deed have become suddenly less casual in his attitude to Wakefield is difficult to say. Perhaps he had heard rumours from visitors that colonists were indeed expected in large numbers from England; perhaps Wakefield's pertinacity in his land dealings struck him as unusual. In any case, he determined to cover his retreat. He went

73. For Spain's opinion of the Ngati Toa claim to the Hutt, see Ibid., No. 1, pp.9-10 (17-18), 15-16 (23-24).

74. See M. Richmond to FitzRoy, 'Extract from a Confidential letter ...', 2 December 1844, Richmond to FitzRoy, 28 December 1844, and encl., Richmond to FitzRoy, 6 January 1845, and encl., Richmond to FitzRoy, 17 May 1845, Archives of the New Munster Government, Series 10/2, Nos. 19, 21, 23, 24.

back to interview Wakefield on the Tory, and for the first time made him an actual offer of land in return for his payment. Wakefield, he said, might have Taitapu (now Golden Bay) and Rangitoto (d'Urville Island).⁷⁵ Later he changed his mind about Rangitoto, and by the time Spain's court sat in 1843 he and Te Rangihaeata - who, of course, had transacted his business separately with Wakefield - were maintaining that each of them had sold a different place: Te Rauparaha had given Taitapu, and Te Rangihaeata, Whakatu (now Tasman Bay).⁷⁶

There were of course, obvious reasons why Te Rauparaha should have chosen these lands for alienation. He had not fought himself in either bay, and was anxious to remind the residents that they still occupied under his mana. There were no parties of Ngati Toa at either place, so that the sale would be of no inconvenience to his own people. Taitapu and the west coast of Tasman Bay were occupied by small Ati Awa groups, with Ngati Tama and their relatives Ngati Rarua.⁷⁷ No ships visited them, and they were quite out of the way of the main travelling routes within Te Rauparaha's domains.

75. Wakefield, Adventure in New Zealand, Vol. 1, pp.142-143. If Te Rauparaha had thought Wakefield was bringing some traders, it is unlikely he would have sent them off to Taitapu and Rangitoto.

76. BPP, 'Reports by Commissioner of Land Claims, 1846', No. 5, p.96 (104). It is not entirely clear what places these Maori names referred to. Wakefield thought that 'Taitapu' was Blind (now Tasman) Bay, and it does seem that the name was often broadly used to describe the territory west of say, Whakatu. More specifically, it referred to Massacre (now Golden) Bay. 'Whakatu' embraced Blind Bay generally, though the name was derived from that of a place near the present site of Nelson.

77. Ngati Rarua also came from the Mokau coast, around Awakino. They are the descendants of Rarua, and are therefore related to Ngati Toa:

Tupahau = Hineteao (1st wife) = Rarua (2nd wife)
 Korokino
 Toarangatira
 Marangaiparoa

Whakatu, moreover, was a place which nobody would miss. A few years before, Te Rauparaha had been with a few companions on a general tour of inspection of the southern settlements. He stopped at Whakatu, where some local people told him of a small party of refugees living with their Ngati Kahungunu chief in the hills. Whether as a precaution, or a preparation, Te Rauparaha told one of his sons to make up some powder into cartridges. But his young son Tamihana began to meddle with the powder and threw it on the fire; and in the resulting explosion he and his brother, and his brother's wife were badly burned. 'When he reached us, our father cried over us lying down under our pain', Tamihana remembered later; 'our father then went to shoot some curlew for us.'⁷⁸ Because of the accident, Whakatu became tapu, and afterwards nobody lived there. Economically speaking, it had become a useless bit of land - but, of course, it was perfectly good for pakeha; and there was nothing to be lost from putting pakeha on it.⁷⁹

There was one further dispute which Te Rauparaha thought of settling with his sale. He hoped that it would put his Ngati Koata relatives firmly in their place.⁸⁰ Ngati Koata, it will be remembered - though driven

78. 'Life and Times', p.118.

79. 'History of the conquest of the Middle Island', pp.179-180.

80. Some idea of the relationship between Ngati Toa and Ngati Koata may be gained from the following whakapapa, showing the ancestry of the Ngati Toa chief Pikauterangi:

| | |
|-----------------------------|------------------------------|
| | Mahanga = Wharewaiata |
| | Atutahi = Te Tiki-o-rere-ata |
| | Whaearoa = Te Rangapu |
| Ngaere = Koata = Pakau | |
| Kawharu = Motemote | |
| | Toarangatira |
| Te Rakahura = Marangaiparoa | |
| Kahutaiki = Maunu | |
| Pikauterangi | |

See Kelly, Tainui, pp.462, 465 (Tables 42 and 51).

back on Kawhia from their Whaingaroa home - had been somewhat hesitant about joining Te Rauparaha's heke; wary, it may be guessed, of accepting his leadership. And when they arrived in the south, they were the first of the allies to attempt negotiation on their own account. Their opportunity came with the battle of Whakapaetahi, at which a high born lad of theirs named Tawhe was captured by Ngati Kuia of the south island. But they themselves had taken the great Ngati Kuia chief Tutepourangi. Hearing that Tawhe was still alive at Te Hoiere (Pelorus Sound), Ngati Koata took Tutepourangi with them and crossed to Rangitoto. Tawhe was brought over, and Ngati Koata, in return, released Tutepourangi at Opuia. Thankful to be alive, the Ngati Kuia chief then make a tuku of his land to Ngati Koata: Rangitoto (d'Urville Island) and, Ngati Koata always insisted, the opposite coast from Anatoto at the mouth of the Pelorus estuary, west as far as Matau (Separation Point). Ngati Koata then crossed to the bay and made peace with each of the Ngati Kuia settlements. Ngati Kuia remained in occupation of the coast, and Ngati Koata, for their part, took possession of Rangitoto.⁸¹

A few years later - toward the end of 1831 - this amicable arrangement was rudely shattered when Te Rauparaha and his allies launched an attack on all the tangata whenua of the northern bays and sounds. Ngati Koata, perhaps, had been wistfully eyeing the mainland; for it was two of their people who told Te Rauparaha of the rumours that Ngati Kuia and Rangitane had received some of Te Peehi's bones, and were making them into fishhooks.⁸² But Te Rauparaha was already preparing a taua against Kaikoura and Kaiapohia, and had no wish to be diverted. When the party crossed to Te Hoiere,

81. Evidence of Ihaka Tekoteko, 14 November 1892, and Meihana Kereopa, 17 November 1892. MLC, Nelson, Bk. 2, 'New Zealand Company Tenth', pp.254-257, 307-309.

82. Ihaka Tekoteko, MLC, 'N.Z. Co. Tenth', p.257; Meihana Kereopa, ibid., pp.309-310.

therefore, it split into two divisions. Te Rauparaha went only as far as Whakapuaka before turning back with Ngati Toa and heading down the east coast. The other party, led by Te Puoho of Ngati Tama, Te Niho of Ngati Rarua, and the Puketapu chief Te Manutoheroa marched through Whakatu and Taitapu, attacking one settlement after another. The survivors fled into the hills, and when the allies decided to move to the south after Haowhenua, they found the bays deserted.⁸³

It is doubtful whether this turn of events was quite what Ngati Koata had envisaged. They had probably thought to enlist Te Rauparaha's aid against the tangata whenua and, after the skirmishing, to have established their own exclusive rights to the bay. Now they were faced with a whole string of competitors.⁸⁴ Ngati Rarua derived their right to the conquered land - from Horoirangi to Takaka, including Whakatu - from Te Rauparaha's general distribution of the conquered territories. The Ati Awa at Motupipi claimed Taitapu because Te Manutoheroa, during the fighting, had killed the local chief Kotuku. And Ngati Tama claimed the land from Horoirangi to Waimea by virtue of their own conquest, under Te Puoho. Te Puoho, they said, had stuck his raukura (the feather from his hair) in the ground at Waimea, to show he wished to take possession of it; and he had quarrelled besides with Te Manutoheroa, when he refused to give up the patu pounamu (greenstone patu) Kokopu which the Motueka chief Pakipaki had surrendered to him at Moutere.⁸⁵ But Te Puoho had not stayed long himself

83. Te Poa Karoro, ibid., p.172; Paramena Haereiti, ibid., p.267; 'Report and Recommendation on Petition No. 262 of 1933, of Hari Wi Katene and others ... regarding Wakapuaka Block', AJHR 1936 G No. 6B, pp.7-8. It is hardly surprising that Te Rauparaha should have concentrated his energies on the economically important east coast, rather than on the less strategically placed peoples (who included many refugees) of the north-west coast.

84. At this point, of course, it suited both Ngati Koata and Ngati Kuia to remember an extended gift of land.

85. Te Poa Karoro, MLC, 'N.Z. Co. Tenth', pp.172-174, 177; Paramena Haereiti, ibid., pp.267, 277; Hohaia Rangiauru, ibid., pp.288-290. See also evidence of Tahuaroa, 15 November 1883. W.G. Mair Papers, Vol. 2, No. 38, Te Taitapu case.

after his people were established in the district. He quarrelled again, this time with the Ngati Rarua chief Ngapiko, because of a kanga. He seems also to have fallen out with his second wife Kauhoe, for when he left on his abortive southern colonising expedition in 1836 she remained behind with their son Wi Katene.⁸⁶ Te Puoho was accompanied instead by his newest wife, a woman of Muaupoko. At the Grey River, where a group of Ngati Rarua were peacefully settled among the Poutini Kai Tahu, he was given no encouragement to stay. He crossed the Haast Pass to Wakatipu and Wanaka; and at Tukurau (near Gore) a Kai Tahu taua fell on his emaciated follows and virtually wiped them out.⁸⁷

When Te Puoho's fate became known, Kauhoe went to the chiefs of Ngati Koata, and asked them to show her a piece of land where she might live. They gave her Whakapuaka and, it seemed to them, disposed at a stroke of Ngati Tama claims to have conquered the land.⁸⁸ Ngati Rarua had driven away the Ngati Tama chief, and now his widow came to them for land. Her request was a vindication too of their general claim that the conquest had not affected the land east of Separation Point. An important Ngati Rarua settlement had grown up at Motueka, and Ngati Koata insisted - more vehemently, perhaps, after their success with Kauhoe - that the spot was included in a gift made the newcomers by their own chief Mauriri, of the land from Moutere to Separation Point. West of the point, they were happy to admit a conquest; but they clung to the Ngati Kuia gift as the basis for their own title to Tasman Bay.⁸⁹

86. This may of course have been merely a precaution, in case his expedition did not fare well. See Te Poa Karoro, Ibid., p.179.

87. AJHR 1936 G No. 6B, pp.8-9.

88. Ngati Koata claimed that Kauhoe was merely accepting an offer which they had made Te Puoho before he left for the south. Some accounts state that the gift was made after the arrival of the Company - which puts it between about 1839 and 1844. See ibid., pp.49-50; Paramena Haereiti, MLC, 'N.Z. Co. Tenth', p.331.

89. Ihaka Tekoteko, ibid., pp.259-260, 262.

Kauhoe's supplication was thus also a direct insult to Te Rauparaha. But Kauhoe was the daughter of Te Rangihiroa, and the niece of Te Peehi. And it is not surprising that she should deliberately have gone to Ngati Koata, the basis of whose claim she knew to be offensive to Te Rauparaha. Nor is it surprising that Te Rauparaha, when Wakefield offered him the opportunity, should have issued a stern warning both to Kauhoe and to her sponsors. If he changed his mind about selling Rangitoto, it was probably because, realising that Wakefield would not want it anyway, he was quite content to have given Ngati Koata a fright. Ngati Koata, moreover, were lucky that he did relent. For when Spain's Court came to adjudicate on the second of Wakefield's deeds, the sale of Taitapu and Whakatu was upheld simply because the Ngati Toa chiefs insisted that those were the places they had sold. Spain accepted the argument that Te Rauparaha's long list of names had been merely that of places he had conquered.⁹⁰

Colonel Wakefield - who never could understand how Spain and Te Rauparaha came to pick out two of the names in his deed as being in a separate category from the rest - was astonished. But Wakefield had reason to be very grateful to Spain. For Spain had laid it down as his guiding principle that the rights of mere conquerors, where they did not live on or cultivate the soil, were not to be recognised.⁹¹ Te Rauparaha's deed, however, was the only basis for the Company's claim on Nelson. The residents of Tasman Bay had not originally been approached, and in 1842 - when the Company thought of sending settlers there - they did not dare to ask them to sign a new deed, lest it undermine their claim that Te Rauparaha had already sold the land. Feeling the weakness of his position, as he began to prepare for a settlement among people who had never been paid,

90. BPP, 'Reports by Commissioner of Land Claims, 1846', No. 5, pp.95-97 (103-105).

91. See, for instance, his pronouncement on Te Rauparaha's claims generally, ibid., No. 2, p.42 (50); also p.37 (45).

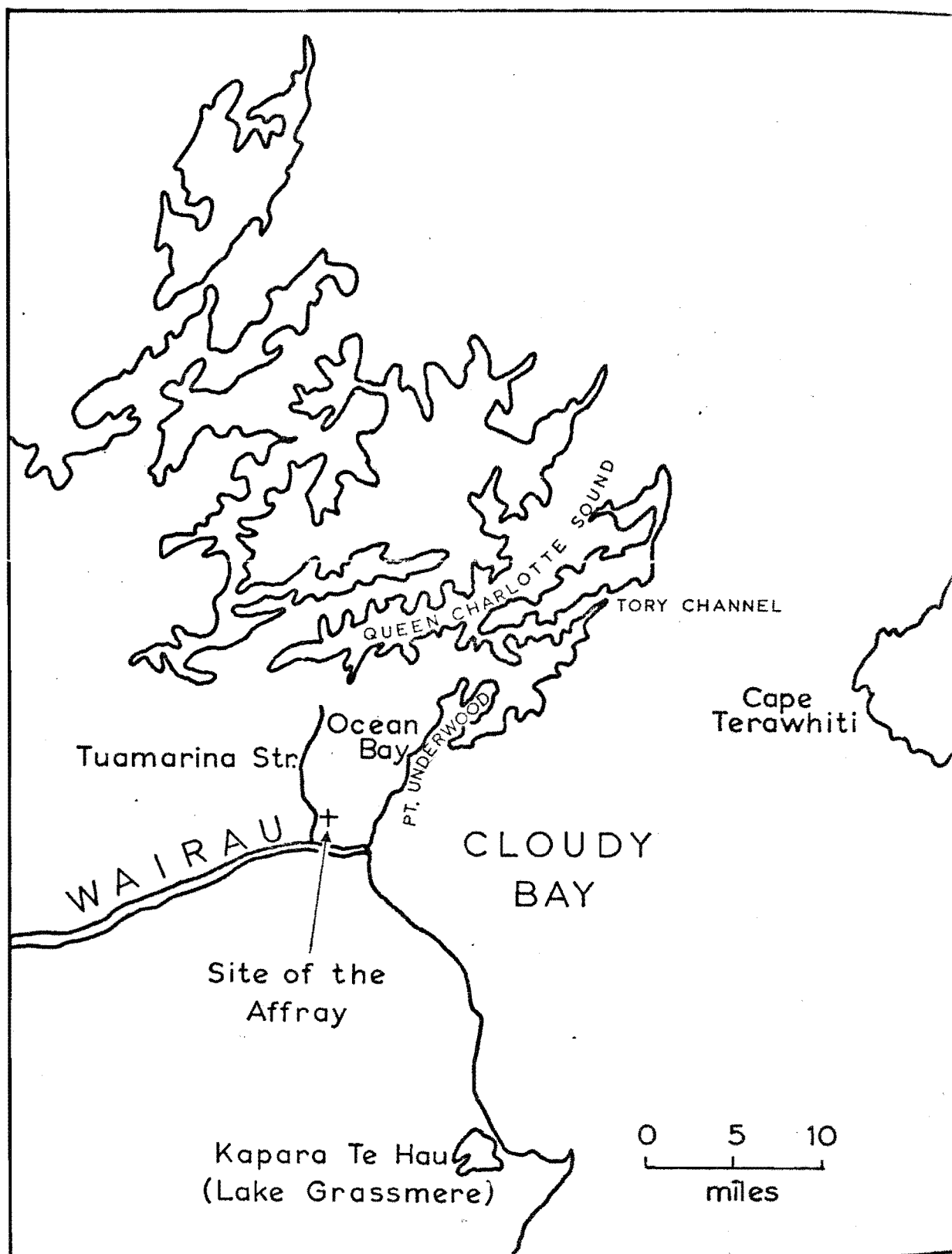
Captain Arthur Wakefield compromised by distributing substantial 'presents' among the chiefs of both bays, to the total value of some £980. As Spain pointed out, the distinction between a present and a payment was one which the Maori recipients did not readily make: they took the goods as evidence of Wakefield's recognition of their claims.⁹²

Yet Wakefield had been emphatic that the goods were not a payment for the land: nor had any deed or receipt been signed. It should therefore have been open to the residents to consider afresh, if they wished to sell their land at all. If they had decided to repudiate Te Rauparaha's sale, Spain would then have been obliged by his own stated principles, to disallow it. But the Company had distributed valuable goods both at Kapiti and at Nelson, for which no land had as yet been awarded them; and they had settlers on the land, to whom Spain was sympathetic. He therefore dispensed with his principles, and concurred publicly in the arguments of the Company. He never gave the residents the option of deciding about their land: "these lands" he told them, "were purchased long ago by Colonel Wakefield of Rauparaha and others at Kapiti".⁹³ All that was required of them, now, was that they should sign a deed to complete the legalities. Spain indeed thought nothing more was necessary, but Wakefield was anxious to distribute more goods, to help the signing of the deed along. He and Clarke agreed on a supplementary sum of £800, and Spain dutifully made another speech emphasising that these goods too were not a payment for the land, but were presented "for the sake of making friends of you and the white people, to put an end to all the quarrels and disputes about the land, so that both races in this settlement may live peaceably and happily together in future".⁹⁴

92. The usual payment made to each chief was 10 blankets, 1 double gun, 1 felling and 1 squaring axe, 1 bag flour, 1 cwt sugar, and a quantity of pipes - with tobacco or powder as an extra. See *ibid.*, Encl. 4 in No. 2, and No. 2, pp.37-38 (45-46).

93. *Ibid.*, Encl. 3 in No. 2, p.45 (53).

94. *Ibid.* See also No. 2, p.39 (47).



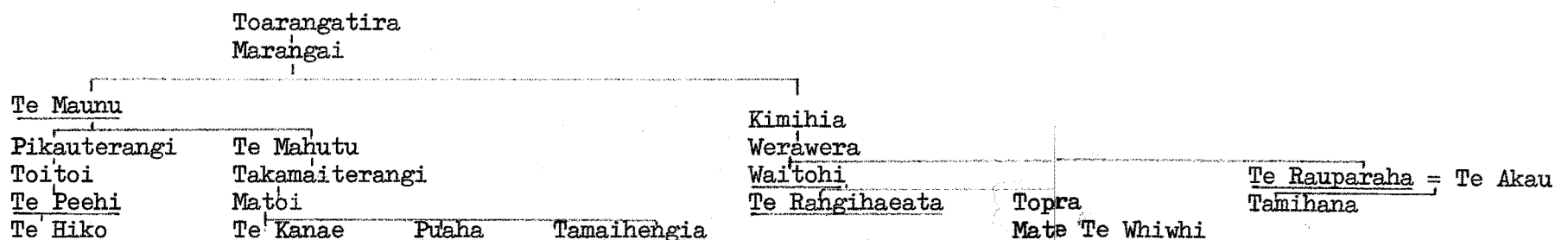
Map 13. Karauripe (Cloudy Bay).

The Motupipi people - Ati Awa and Ngati Tama - had not attended the meeting, and it was found when their share of the payment was delivered that they did not wish to sell their land. Coal had been discovered in the district; and their land, as they rightly pointed out, was worth far more than the sum they were being offered. Once again - as at Port Nicholson - the money ended up in the bank; while Spain endeavoured to convince himself that he 'could only consider it in the light of a gratuity and not as a matter of right ...'⁹⁵

The Nelson Court was a triumph for Te Rauparaha for more than one reason. The Commissioner had upheld his mana over all the peoples of Taitapu and Whakatu, and his newly asserted right to sell their land without consulting them. And because the New Zealand Company brought no claim before the Court to Wairau, he had been spared a confrontation with his own Ngati Toa relatives which might have proved rather more difficult. Cloudy Bay of course had always been Te Rauparaha's particular preserve. But his half brother Nohorua was married to a Ngati Rahiri woman - the sister of the Ngati Rahiri chief Huriwhenua - and the wife of his nephew Rawiri Kingi Puaha was a daughter of Te Peehi; and it is clear that the Cloudy Bay community had developed aspirations to some degree of independence from Te Rauparaha.⁹⁶ When Te Rauparaha had got his CMS missionary, for instance,

95. Ibid., Encl. 5 in No. 2, pp.48-49 (56-57).

96. Puaha, like Te Peehi, was descended from the tuakana Te Maunu; Te Rauparah sprang from the teina line:



Whakapapa taken from Edward Shortland, The Southern Districts of New Zealand; a journal, with Passing Notices of the Customs of the Aborigines (London, 1851; reprinted Christchurch, 1974), Appendix, p.283. I owe this reference to Kevin Cunningham, McNab Librarian at the Dunedin Public Library.

Puaha's brother Hohepa Tamaihengia went to fetch a Wesleyan for Cloudy Bay.⁹⁷ And disputes over the land seem to date from the same time.

Te Rauparaha and Te Rangihaeata had conveyed Wairau some years before to one Captain Blenkinsopp, captain of a whaling ship, in return for a ship's gun. Much later, Te Rauparaha's son was to allege that Blenkinsopp had told them his deed was a letter to the captains of other whaling ships, to inform them that Te Rauparaha was a great chief. When the next visiting pakeha was shown the paper, however, he told them of its real contents; and Te Rauparaha, enraged, tore it up.⁹⁸

But if Te Rauparaha did tear up his copy, the original survived, and a few years later Blenkinsopp mortgaged the deed to a firm of Sydney solicitors for £200. Soon afterwards however he was drowned, and the firm acquired possession of the deed. In April 1840 one of the partners, George Unwin, sent out four men and their families to establish a cattle station on the Wairau. But Nohorua's people - finding that the newcomers' claim to possession was based on Te Rauparaha's sale to Blenkinsopp - refused to let them take the cattle on to the land, and kept the stock where they had been landed, at Ocean Bay. These men, they now knew, were not traders, who would be profitable to them, but settlers - perhaps the mere forerunners of some new body of families - and they did not intend to be swamped as Te Wharepouri had been, on the basis of some careless arrangement of Te Rauparaha's. Unwin's men, nevertheless, proceeded to the Wairau River, and began building on the north bank, returning from time to time for provisions. And on one of their trips back to the River, they simply disappeared. Whether they were killed or - as seems more likely - drowned, the fate of the venture was sufficiently discouraging that no further attempt

97. Tamaihengia left Cloudy Bay in mid-1840; his missionary Samuel Ironside arrived in December.

98. 'Life and Times', pp.110-111. The incident may have taken place about 1831 or 1832.

at settlement was made.⁹⁹

It was in fact nearly three years before Nohorua's people were troubled again. In March 1843 the New Zealand Company advertised the Wairau for survey by contract. The Company's claim was based not only on Wakefield's deed but on a copy of Blenkinsopp's deed which his Maori widow had sold to Wakefield in December 1839. But Spain's court had not yet heard the Company's claims to the Nelson district, and was not to do so for a couple of months; and it is clear that Arthur Wakefield - the Company's Nelson agent - might more sensibly have waited until some award had been made him. Perhaps he hoped that the survey of a large part of the ground might sway Spain in the Company's favour, for they badly needed it to fill their orders of country sections.¹⁰⁰

Rawiri Kingi Puaha had apparently fallen out with Te Rauparaha before the survey was mooted - possibly as a result of discussions about the impending Nelson sittings of the court. As Te Rauparaha himself explained: 'he had quarrelled with his nephew, Puaha, about the right to occupy a certain portion of the ground, in consequence of which they separated, and Puaha threatened to withdraw with his followers to another district, and to cease all future connexion with his family.'¹⁰¹ But in March matters came suddenly to a head, and Puaha was quick to return to the defence of his territory. Te Rauparaha, nevertheless, forestalled him in the first round. On 10 March he crossed to Nelson with Te Rangihaeata and Te Hiko, and in an interview with the Police Magistrate, the Company agent and surveyor, told them that they must not proceed with the survey; that they would be trespassing if they went on the land. Te Rangihaeata added that

99. Journal of Ensign Best, pp.248-252, and note 189; T. Lindsay Buick, An Old New Zealander, or, Te Rauparaha, the Napoleon of the South (London, 1911; reprinted Christchurch, 1976), pp.216-217.

100. Ibid., pp.235-237.

101. Irish University Press Series of British Parliamentary Papers. Colonies New Zealand (Shannon, 1968), Vol. 2; 'Report from the Select Committee on New Zealand together with the Minutes of Evidence Appendix and Index' [1844 (556) 13] (Hereafter '1844 Report of Select Committee'), Appendix No. 9, Encl. in No. 3, George Clarke jun. to George Clarke, 16 August 1843, p.337.

the land never would be sold, though Te Rauparaha himself appeared to be considering the idea. Te Rangihaeata's intransigence however cast a gloom over the meeting; he turned down the Company presents, and the parties separated on bad terms. On 14 March - having been held up by bad weather - the chiefs went home.¹⁰²

Three days later, Rawiri Kingi Puaha turned up in Nelson with his two brothers. It is obvious that their late arrival was no coincidence. They deliberately avoided Te Rauparaha because they wanted a private interview with the Company, and because they were anxious to impress on the officials that they were a distinct group - in fact the only group - of claimants. But they too wanted the survey stopped, and they were a positive embarrassment to the Company. Hitherto the Company had stressed their desire for amicable relations with all the local Maoris, and had offered tangible proof of their friendliness. For the first time, now, they met a hostile group of Maoris, who would not take their presents. Puaha declined to submit a list of all the owners of the land, so that goods might be distributed among them. He even refused the very tempting offer of a schooner for himself, though he was known to hanker after such a ship. The discussions went on repetitively for two days. But Puaha stood firm. To take presents - whether Te Rauparaha denied his earlier 'sale' of Cloudy Bay or not - was merely to concur in the Company's view that the land had already been sold - to acquiesce in Te Rauparaha's sale, and therefore in Te Rauparaha's right to conduct future negotiations about the Wairau. Further, said Puaha, he would not sell the land himself.¹⁰³

102. Irish University Press Series of British Parliamentary Papers. Colonies New Zealand (Shannon, 1970), Vol. 4; 'Correspondence and Other Papers Relating to New Zealand 1843-45', [1845 (131) 33], 'Papers Relative to the Affairs of New Zealand' (Hereafter 'Papers Relative to New Zealand, 1845'), Encl. F in No. 6, p.33 (187).

103. Ibid., p.34(188).

The surveyors arrived on the ground late in April, scattered, and worked for a week before Nohorua's people began to interfere with them. Ranging rods were pulled up, a sawpit destroyed, stakes torn up, houses pulled down. The disruptions continued throughout May, under the supervision of one of Puaha's brothers.¹⁰⁴

Te Rauparaha, meanwhile, was fuming over at Porirua, testifying before Spain's court. Spain had gone out of his way to impress on the chiefs his desire to be fair, and it is obvious that they were persuaded, if not of his sympathy with them, at least of their own ability to argue their case plausibly. When the Court closed on 12 May, they did their best to induce Spain to cross at once to Cloudy Bay and conduct a hearing for the Wairau. Gratified by this show of confidence, Spain seriously considered postponing his scheduled hearings at Port Nicholson. But it was very short notice, and in the end he decided to go to Wairau as soon as the Port Nicholson court was finished. He would be there, he told Te Rauparaha, within a month; until then, Te Rauparaha should himself stay away from the Bay.¹⁰⁵

If Spain had had the surveyors turned off the land, it might perhaps have made more sense. While they remained Te Rauparaha found it impossible not to intervene. Every peg they put in strengthened the Company's title to the land; every peg his relatives pulled out strengthened theirs. Nohorua's people were bound to disown him in Court - and to draw the Court's attention to the fact that it was they - and not Te Rauparaha - who had disputed the surveyors' claims. Te Rauparaha saw that if he wished to survive the Court he must act against the surveyors on his own

104. BPP, '1844 Report of Select Committee', Appendix No. 4, depositions of Samuel Parkinson and John Wallis Barnicoat, pp.146-148.

105. Ibid., deposition of Edward Meurant, pp.151-152.

account, and he must also show Spain that he did so not over the heads of the local Ngati Toa, but as an outraged resident.

On 1 June 1843 a large crowd of Ngati Toa - ninety-eight men, women, and children - crossed from Kapiti to Port Underwood by schooner and canoe, and went straight on in canoes to the Wairau River. Te Rauparaha and Te Rangihaeata took thirty men up river, and next morning burnt the surveyors' section pegs and - having first carefully removed their possessions outside - their toetoe huts, and dispatched them to the coast in their boats. When the surveyors had left, Te Rauparaha's whole party moved further up the river and began to make new cultivations,¹⁰⁶ The entire exercise, it is clear, was staged for Spain's benefit. The presence of women was to reassure him, and more immediately, the surveyors, that there was no danger of any violence. But the women came also as workers, to help in the cultivations. Te Rauparaha intended it to seem a family expedition - a normal Ngati Toa movement from one settlement to another. The Wairau was Ngati Toa land where his people had a right to cultivate the ground; and no-one might argue that they went there as intruders.

In the end Te Rauparaha won his point - if in a quite unexpected manner. For his careful plans were wrecked: not by Nohorua's people, but by the settlers. On 16 June, a week before Spain was due at Cloudy Bay, the pakeha returned from Nelson. They were some fifty strong, they were armed, and they bore a warrant for Te Rauparaha's arrest, on a charge of arson. Rawiri Kingi Puaha - no doubt grateful for the opportunity of getting Te Rauparaha off his land - guided the party up the Wairau River, and suggested that the chiefs return to Cloudy Bay to discuss the matter. But

106. Ibid., depositions of Barnicoat and Samuel Ironside, pp.148, 155.

Te Rauparaha's people were further upstream than he had thought, and it was not till the next morning before sunrise, that Te Rauparaha had notice of their arrival. The women hastily began cooking potatoes; one person suggested hiding in the bush, and was silenced. Rawiri Puaha led Magistrate Thompson's party over the hill, and they stopped at the small deep stream (Tuamarina) which separated them from Ngati Toa. Te Rauparaha waited calmly. But as Thompson's interpreter spoke, his calm evaporated. Thompson, it appeared, wished to bind his hands and take him prisoner on board the ship at the river mouth. Where, asked Rauparaha, was Spain? where was Clarke? - the men with whom he was accustomed to negotiate? If they had not authorised these proceedings, there was no reason why he should submit to them. He refused to move. Rawiri Kingi Puaha called out to the interpreter that the pakeha should not persist; but he was ignored. Thompson shouted to his men to fix their bayonets and advance across the creek, and firing broke out on both sides. Then, as men recovered from their surprise, there were moves on both sides to stop the fighting. Puaha, bible in hand, shouted at his relatives; Arthur Wakefield decided to lead a surrender of those about him. But there was too much confusion for a ceasefire to operate successfully. Many of the settlers, still firing, made their escape, but Wakefield's party - having abandoned their weapons during the abortive surrender - tried to leave, and finally to parley with Ngati Toa, unarmed. They might perhaps have effected a truce, had not Te Rangihaeata intervened. His wife Rongopamamao had been accidentally shot at the outset, and Te Rangihaeata wanted his utu. As Puaha pleaded with him to stop, he led his men in tomahawking those who had given themselves up. Their heads were fearfully mangled, but it was Captain Wakefield's head - not Thompson's - for which they reserved their worst insult: they placed beneath it a piece of damper (cooked food).¹⁰⁷ Clearly,

107. Ibid., pp.141-159, passim.

their quarrel was not with the Crown - with whom they still hoped to negotiate - but with the Company.

Unfortunate though the skirmish was, its immediate effect was to clinch Te Rauparaha's position as chief of the people of the Wairau. The settler force which the magistrate led against him had not a legal leg to stand on; though nineteen Englishmen were killed at Wairau, neither the Governor, nor Spain, nor the Attorney General could find a word to say in his defence. He had issued a warrant for a felony which the Attorney General considered no felony at all. He had forty men armed from the Company's stores, with muskets, pistols, cutlasses and swords, but neglected to swear them in as special constables. He ordered an advance before he tried to execute his warrant. And he trespassed on land which - as Spain had not yet given his decision on the title - was still Maori land.¹⁰⁸ When Spain heard the Company's case at Nelson months later, they did not even bother to argue for the Wairau. Te Rauparaha, therefore, never had to contest the land with Puaha. Though some of Nohorua's people had been present at the fight, and though later they were to urge that "[w]e killed Captain Wakefield & party at Wairau",¹⁰⁹ it was Te Rauparaha who emerged as the defender of Wairau, and with whom Spain, Hadfield and finally the Governor himself went to Waikanae to parley. On 12 February 1844, after listening to Te Rauparaha's own version of events at Wairau, Governor FitzRoy gave him, in effect, a pardon.¹¹⁰

108. Ibid., Encl. 1 in No. 18, William Swainson's minute, 13 July 1843, pp.165-168.

109. Hira Te Aratangata, 31 January 1890, W.G. Mair Papers, Vol. 11, Ngarara Block (Rehearing). Witness was the sister of Rawiri Kingi Puaha.

110. BPP, 'Papers Relative to New Zealand, 1845', Encl. E in No. 6, pp.30-33 (184-187).

By the end of 1844 Te Rauparaha had vindicated his claims to the Hutt, to Wairau and Whakatu. Whakatu he had sold; Wairau, as he wished, he had retained. But his was to be a short-lived success. A more calculating Governor than FitzRoy took his utu for Wairau three years later - when, with Te Rauparaha in his custody, he asked Ngati Toa to give up Wairau to the Government 'to the Queen, in compensation for her dead'. And, as Puaha's brother Te Kanae recorded it: 'Rawiri Puaha and his tribe agreed, and so passed Wairau even unto Kaikoura on account of the dead who died in the conflict of Wairau.'¹¹¹

Te Rauparaha's dispute with Puaha cost him Wairau in the end; and he was to lose Whakapuaka - as the result of a quarrel between Kauhoe's two sons - to Ngati Koata. In 1842 or '43 Ngati Tama had been greatly surprised by the return to Whakatu of Wahapiro - or, as he was later called, Paremata - from the far south. One of the only two survivors of the raid on Te Puoho's party at Tukurau, Paremata had been taken prisoner by Kai Tahu: he was released several years later, his ear cut as a warning to all his northern allies.¹¹²

As a man without mana, Paremata was touchy about his rights; and he was especially touchy where they were affected by those of his stepbrother Wi Katene. Paremata was Te Puoho's nephew, the eldest son of Kauhoe by her previous marriage to Te Puoho's younger brother Taku.¹¹³ He was therefore

111. Wiremu Naera, 'The History of the Tribes', p.19. The deed of cession was signed by Rawiri Kingi Puaha, Te Whiwhi and Tamihana Te Rauparaha on 18 March 1847. See also Rutherford's harsh comments on Grey's acquisition of Wairau; J. Rutherford, Sir George Grey K.C.B., 1812-1898; a Study in Colonial Government (London, 1961), pp.165-166.

112. AJHR 1936 G No. 6B, pp.30, 47.

113. The whakapapa is as follows:

Whangataki m. of N. Toa = Hinewairoro f. of N. Tama

Te Puoho = Kauhoe f. = Te Taku

Wi Katene Te Puoho Paremata Te Wahapiro

the senior of Kauhoe's sons, and he had also fought with Te Puoho's taua against Ngati Kuia. He refused to recognise Wi Katene's title, because he refused to acknowledge the Ngati Koata gift. He claimed the land himself because Ngati Tama had fought for it. He had killed Tutepourangi of Ngati Kuia with his own hand at Whakapuaka, and as far as he was concerned had put an end to Ngati Koata pretensions. How could they trace their claim from a chief who had failed to defend the territory he thought to gift? Or why had they - Ngati Koata - not defended the land against intruders?¹¹⁴

Wi Katene had taken gifts from Captain Wakefield, but he was not present in 1844 at "Spain's sale", and it was Paremata who signed and received part of the payment.¹¹⁵ But in the following January Paremata returned from a short trip to the North Island, and suddenly descended upon the settlers who had recently taken up land in the Happy Valley, some ten miles north of Nelson. At first he warned them off the land, then menaced them by lighting fires close to their crops and buildings, and finally destroyed and stole some property. The land, he said, had not been sold; it was beyond the northern boundary of the Company purchase. Nor had he been paid for the Nelson land.¹¹⁶ Eventually it came out that Paremata had been irritated by his discovery in the north that Te Rauparaha had set aside Spain's decision, and got a new payment from the Governor.¹¹⁷ Why, then, should he take Spain seriously? But Paremata's hopes of a new payment were dashed when Wi Katene took over the negotiations, and approved a new boundary line cut on 21 January, under the supervision of eighty armed settlers.

114. Paramena Haereiti, MLC, 'N.Z. Co. Tenth', pp.267, 286.

115. Meihana Kereopa, ibid., pp.334-335.

116. AJHR 1936 G No. 6 B, pp.30, 32-34, 47-48. No actual boundary of Spain's award had been cut at the time he made it.

117. This was the payment Clarke made Te Rauparaha for the Hutt in November 1844. Paremata, of course, was closely connected with Taringa Kuri.

Katene agreed that the line was a few miles north of the boundary which he considered he had sold; indeed, it suited him very nicely to do so. For he then announced that he made over the extra land to the Company as utu for Paremata's hara (misdemeanours).¹¹⁸ His new camaraderie with the settlers - who had threatened Paremata with the full force of the law should he try further violence - made him too strong for Paremata. He left the land a year afterwards, and went to live in the North Island.¹¹⁹

But a few years later, another, final chance was afforded Paremata of substantiating his claims. Under the enthusiastic guidance of Te Rangihaeata - now determined to forestall the offers of sale which both tangata whenua and allied chiefs were making Government - Ngati Toa were taking payment in 1853 for all their claims to land in the South Island. Paremata signed with them, over Wi Katene's head.¹²⁰ Over the next three years, indeed, Ngati Tama, Ngati Rarua, Ati Awa, Ngati Koata and even Ngati Kuia, all took the opportunity to sign deeds of sale which McLean had made deliberately attractive in their phraseology.¹²¹ Only Wi Katene resisted. Paremata's signature with Ngati Toa was a direct provocation to him, and when McLean urged that he should sign because Paremata had specifically agreed to the inclusion of Whakapuaka, Wi Katene became obdurate. "Paremata te Wahapiro has no claim to Whakapuaka", he said, "it is mine. Another thing: Ngatitoa cannot sell Whakapuaka because the

118. As one witness explained it: 'hei utu mo nga taonga o nga pakeha kua murua o Paremata' (as utu for the property of the pakeha which Paremata made off with). Paramena Haereiti, MLC, 'N.Z. Co. Tenth', p.329, AJHR 1936 G No. 6 B, pp.34, 48, 51.

119. Ibid., p.50; Paramena Haereiti, MLC, 'N.Z. Co. Tenth', p.331.

120. AJHR 1936 G No. 6 B, p.50.

121. See for instance Alexander MacKay, A Compendium of Official Documents relative to Native Affairs in the South Island (Wellington, 1873), Vol. 1, pp.307-316.

Ngatikoata hapu gave it to me."¹²² Wi Katene retained Whakapuaka, and Ngati Koata had the final satisfaction of seeing their title to the land upheld.

But of all Te Rauparaha's attempts to force recognition of his overriding claims by conquest, the Hutt was undoubtedly his most misjudged. His bid to coerce the Government by the use of squatters miscarried in a way he could not have foreseen. Early in 1846 - with the squatters still in occupation, Governor Grey arrived with troops, determined to end the stalemate. Taringa Kuri - shrewd enough to know when he was beaten - withdrew as soon as he was offered compensation for his crops, and later the Government bought him a piece of land at Kaiwharawhara. Kapara Te Hau was too slow, and his people became untidily involved with the troops and outsettlers. There was burning and plundering on both sides, and Te Rangihaeata - committed perhaps by his own claims to the Hutt, which Ngati Rangatahi had been representing - sprang to their defence. In the fighting with the troops that followed, Te Rangihaeata was isolated. The Ati Awa of Port Nicholson, who had been waiting for years for the opportunity, joined the troops with huge enthusiasm. Ngati Raukawa, who were anxious to attract pakeha to their lands, rather than frighten them away, stood aloof. Te Rauparaha too publicly disowned Te Rangihaeata, and exerted himself to ensure Ngati Raukawa neutrality.¹²³

Grey was unable to defeat Te Rangihaeata. But in a final, dramatic, face-saving gesture he made a dawn raid on Te Rauparaha's settlement at

122. AJHR 1936 G No. 6 B, p.48.

123. Hanson to FitzRoy, CO 209/49, pp.502-503, 506. See also Ian Wards, The Shadow of the Land; a Study of British Policy and Racial Conflict in New Zealand 1832-1852 (Wellington, 1968), pp.239-252, Ch. 8 and Ch. 9, passim.

Porirua in July 1846, captured him and bore him off to detention on the Driver. As the pinnace passed the small Ngati Toa village Motuhara on its way to the waiting ship, Te Rauparaha cried out for help: "Ngati-Toa e! Ngati-Toa e!" The interpreter told the chief that if a canoe did put off to the rescue it would only take back a dead man, for he (Deighton) would certainly shoot him first. The old man, looking the interpreter directly in the eyes, said bitterly, "Shoot now; it would be better I were dead among my own tribe than alive as a prisoner and slave in the hands of an enemy".¹²⁴

Te Rauparaha was returned to his home eighteen months later - a broken man. Hongi, it is true, had had little enough to show at the end for all his years of military and economic success: his guns, his mere, his coat of mail. But he died, at least, a chief. Te Rauparaha's captivity had deprived him of his mana - a loss which meant far more to him than would the forfeiture of all his conquered lands.

Yet it was the land - the new criterion of wealth - on whose account he suffered. He was an elderly man when the settlers arrived, and he became preoccupied with the need to have the settlers, the Government, and his own ungrateful allies recognise his rights to all the territories he had acquired. It was not enough that he had achieved renown ten years before. He sought in a new age to preserve his accomplishment, to record it not only in the memories of those distant relatives to whom he sent part of the payments, but also in the pakeha land deeds. When measured in territory, indeed, his conquests were so extensive that perhaps it had seemed to him he could well afford the land necessary to secure acknowledgement of his claims. But as we shall see, his was to prove a dangerous example for other chiefs to follow.

124. James Cowan, The New Zealand Wars; a History of the Maori Campaigns and the Pioneering Period (Wellington, 1922; reprinted 1955), Vol. 1, pp.119-120.

CHAPTER 8

THE ORIGINS OF THE PUKETAPU FEUDS

When the last of the Ati Awa heke had left for the south, a small band of tangata whenua remained at Taranaki. There were only about fifty of them - a mixed group of Ngati Te Whiti, Ngati Rahiri and Puketapu - and though they planted and gathered food on the mainland, they were ready at a moment's notice to retire to their pa on Ngamotu, the small offshore islands which pakeha called the Sugar Loaves. They had suffered Waikato-Maniapoto raids twice since the terrible defeat of Pukerangiora in 1831. The first of them, two years later, had failed to penetrate the defences of the offshore pa Mikotahi, and Ati Awa negotiated an end to the siege by surrendering a number of their chiefs, who were taken away to Waikato and Kawhia. It was no victory for Ati Awa, and they lived in trepidation of the return of Waikato to finish them off.¹

Towards the end of 1839, they received instead some much more acceptable visitors. The New Zealand Company representative William Wakefield arrived early in November, sent north by Te Wharepouri from Port Nicholson to make further distributions of his goods. Anxious to keep as much of the new wealth as possible in Ati Awa hands, the southern chiefs had given Wakefield glowing descriptions of their land at home, and they sent representatives with him to explain things to their relatives:

1. Pukerangiora pa was bloodily taken by a massive Waikato-Maniapoto taua, seeking vengeance for the chiefs they had lost ten years before at Motunui, and labour for scraping and transporting flax to the coast. The heke Tama Te Uaua left for Kapiti soon afterwards, led by Te Puni, Te Wharepouri, Tautara and others. For an account of the siege of Mikotahi, see Smith, History and Traditions, pp.497-500.

Te Puni's son Te Whare, Tuarau (who was connected with Ngati Rahiri) and Dicky Barrett.² The tangata whenua, delighted at the prospect of guns and goods, gave them a warm reception. All they wanted was a week's grace, so that the kaumatua might be summoned from their scattered fernroot grounds inland. Wakefield, eager to sail for Hokianga and Kaipara to buy more land, did not want to wait himself; but he thought it sensible to land Barrett and Tuarau - Te Whare wished to accompany him to the north - and leave them to explain the new colonisation scheme.³ What Barrett said in his absence we do not know; but Wakefield struck such trouble in the north - the Tory ran aground off Kaipara - that it was to be nearly two months before he was able to send a Company man back to Ngamotu. By that time, the Ati Awa had pressing reasons of their own for wishing to conclude the deal.

During January 1840 they had been visited by two more pakeha. The first was the notorious ex-missionary William White. White's interest in Taranaki land had been aroused by some Ati Awa living at Hokianga - former taurekareka from the Waikato who were happy to accept his payment in exchange for a 'sale' of their interests at home. Armed with his deed, White set off for Taranaki in January to complete the transactions with local signatures - hoping, no doubt, to resell the land at a heartwarming profit, either to the Company or to new settlers.⁴

2. Wakefield, Adventure in New Zealand, Vol. 1, p.99.

3. Ibid., pp.147-148.

4. Ibid., p.168. White, a former Chairman of the Wesleyan Mission to New Zealand, had found himself better suited to business than to the saving of souls. He had been suspended from the Society some years earlier after numerous charges of unprofessional conduct had been brought against him. But he stayed in New Zealand - greatly to the embarrassment of the Society - running a very prosperous logging business during the week, and independent services on Sundays.

But at Ngamotu White met a hostile reception. Ati Awa already had the pakeha Te Wharepouri had sent them. They had no wish to be tacked-on to a transaction initiated by northern taurekareka; nor, perhaps, did they wish to trust a renegade. They refused to have anything to do with White, and they went so far as to snub him deliberately by negotiating with a Wesleyan representative from Kawhia instead. Edward Meurant, too, had come to buy land; he had been hastily dispatched by John Whiteley, apprehensive that a Company purchase might leave the Society without a base in Taranaki. For the Ati Awa elders his arrival could not have been more opportune. On 13 January 1840 Poharama and Edward Puke of Ngati Te Whiti 'sold' what amounted to a hundred acres at Moturoa, 'for the missionaries of the Wesleyan Church'.⁵ It is clear from the size of the deposit - two single blankets and some fishhooks - that the economic aspect of the deal was that which least concerned the chiefs. White was a wealthy man, and could have offered them much more. But with the Company's goods in the offing, Puke and Poharama were free to express their disdain of White and his taurekareka deed. They signed the mission deed to show White that they were free to negotiate with him had they wished.

White, however, was not so easily deflated. In a last effort to complete his purchase before the New Zealand Company beat him to it, he took ship for Kawhia and offered to buy Taranaki from the local Waikato and Ngati Maniapoto chiefs: Haupokia Te Pakaru and Rangituatea, Kiwi of Ngati Mahuta, Muriwhenua and Wiremu Te Awaitaia of Ngati Mahanga and Ngati Hourua from Whaingaroa. This time he had found a party who were only too delighted to gain recognition for their claims to the land where they had

5. 'Ko te Pukapuka Hoko mo Moturoa', 13 January 1840, MS. in Taranaki Museum.

fought and conquered and lost their relatives. Large-scale taua were no longer fashionable, and White's deed offered the chiefs a splendid opportunity of dissociating themselves finally from Taranaki without loss of face. The local Wesleyans, however, had to be consulted, and their moral scruples required careful handling. As Whiteley and his colleague James Wallis wondered anxiously whether they ought to be party to such a land transaction, White agreed with the chiefs on some soothing concessions, designed to speed missionary deliberations. White was prepared to grant the Mission any Taranaki land they could pay for. The chiefs agreed that Roman Catholics should be permanently excluded from the territory; nor would they themselves ever fight again in Taranaki. They had given up such expeditions in any case; but a written assurance relieved the missionaries of a constant source of worry, for they knew they could not stop the taua. Unable to resist these provisions for the physical and spiritual welfare of the Ati Awa taurekareka and tangata whenua alike, Whiteley and Wallis witnessed the formalisation of the sale on 28 January 1840.⁶ It was just four days since White had arrived at Kawhia. Two days later he was scurrying back to Taranaki with a document which announced the chiefs' abandonment to White 'of our land Taranaki', from the Mokau River in the north to the Whanganui River in the south.⁷

White's efforts to gain Ati Awa signatures to a Kawhia deed were obviously doomed to disappointment. Perhaps he hoped that the quantity of goods he had distributed as a deposit at Kawhia - thirty pounds' worth, of a total payment worth one thousand pounds - might induce Ati Awa

6. Whiteley, Journal, 22-24 January 1840; Whiteley to the Secretaries, 10 March 1840 MMS, p.1. On Whiteley's deep concern for the Ati Awa, see for instance Whiteley to General Secretaries, 17 April 1839, ibid., pp.1-2.

7. The deed is extant. See 'John Whiteley, Maori Material', MS. Papers 484, Alexander Turnbull Library.

to view his proceedings more kindly.⁸ But White's payment to their enemies, for their land, was hardly a recommendation to Ati Awa. He might bluster if he wished at Dicky Barrett and the Company that he already owned the land, and threaten that "those former conquerors [the Waikato and Ngati Maniapoto chiefs] had determined to recommence hostilities, or to claim the protection of the British Government in securing their rights".⁹ The only effect he could possibly produce was an ineradicable determination in Ati Awa to complete their own sale as soon as possible - and to extract more payment from the Company.

The brig Guide had arrived at Moturoa on 1 February, almost simultaneously with White's vessel. She landed the usual miscellany of goods: blankets, tobacco, clothing, and ironware. But the Company agent found the Ati Awa so importunate for guns - the real value of any payment - that in the end he had to give in to their demands. In addition to their fifty-eight fowling pieces, they were promised a case of double-barrelled guns. Their honour properly satisfied by this moral and material victory, the Ati Awa - men, women and children - executed their deed on 15 February 1840.¹⁰ Barrett had had to issue a stern reminder "that they could not touch any of the property that was lying on the beach before they had signed that paper ..."¹¹

Very few of the signatories, later, were willing to admit to their part in the transaction. When Spain held his inquiry into the Company purchase at New Plymouth in 1844, he found the local witnesses uniformly unsatisfactory:

8. The payment was to comprise 50 sovereigns, 100 blankets, 6 casks of tobacco, 100 single-barrelled guns, 50 double-barrelled guns, 100 casks of powder, 100 hatchets, and large quantities of clothing and implements. See ibid.; Whiteley, Journal, 22-24 January 1840. The missionaries would obviously have found the nature of the payment difficult to swallow.

9. Wakefield, Adventure in New Zealand, Vol. 1, p.169.

10. BPP, 'Reports by Commissioner of Land Claims, 1846', No. 3, Spain to FitzRoy, 31 March 1845, p.59 (67). A copy of the deed of sale is printed at pp.64-66 (72-74).

11. Ibid., p.51 (59).

Awatea, the first native witness called, after ... stating that he did not remember whether the deed was read over and explained to him by Barrett, but remarking "perhaps it was", and that he understood it to be a deed to sell land, abruptly left the court, and could not be induced to return.

Puki, the next witness, admits signing the deed, but did not hear it read; was angry for a week about the sale, but afterwards consented ... Mr Clarke [the Protector] began to ask this man some questions; but, in consequence of his sullen manner, declined proceeding with his examination ...

Taitua [Taituha] admits making his mark to the deed; denies that it was read over and explained to him by Barrett; and states that he did not know it to be a deed conveying land, and that he had not previously requested Barrett to purchase his land at that place.¹²

'It was so evident to me' Spain wrote in his report 'that this witness [Taituha] ... was prevaricating grossly, that I felt it necessary to remind him of the solemn obligations of an oath; he afterwards admitted that he recollected that the goods which were landed from the Guide were given in payment for land, and says he received a portion of them; but upon being asked if he knew that this payment to himself was for land, gives the following evasive reply, "When I saw the goods I did not think of any thing else, but put them on my shoulders and walked away".¹³ And, so it went on. Te Tua, another witness, explained his view of his business with the Company even more clearly. "After you had taken payment for the land", he was asked by the Court, "do you think it would be just and fair to claim it again?" to which he replied "Yes". The Court persisted: for what lands had the goods been payment? "No place in particular", Te Tua said; "it was payment for land; we did not make any particular agreement; the goods were brought, I stretched out my hand and took them".¹⁴ And in 1840, of course, it had been as simple as that.

12. Ibid., p.55 (63).

13. Ibid.

14. Ibid., p.56 (64).

By the time Spain's Court sat, however, the original Ati Awa residents found themselves in very different circumstances. Since 1841, over a thousand pakeha had landed in their midst at the new settlement of New Plymouth; they had two hundred and fifty acres of land under cultivation, and they had imported three hundred pigs, goats, poultry, forty-three oxen, a hundred head of cattle, and nearly a thousand sheep.¹⁵ Simultaneously, large numbers of Ati Awa had been returning home. By 1844 their population had increased to over 300, and their communities were scattered from Paritutu north to the far banks of the Waitara River. Some had made their way back from Waikanae, but the majority were taurekareka from the Waikato whom Waikato-Maniapoto chiefs - in a series of competitive grand Christian gestures - had allowed to leave. Taurekareka, after all, became a mere nuisance to Christian chiefs, who could neither punish them as before, with a swift blow of the mere, nor discipline them by any other means. Besides, the chiefs reasoned, the very presence of their taurekareka at New Plymouth would serve to remind all Ati Awa of the nature of Waikato interests in Taranaki.¹⁶

Maoris and settlers alike, then, had converged on the narrow bush-free coastal strip south of the Waitara River; and at first neither group had been very pleased to encounter the other. Like their southern relatives, the Ati Awa who dealt with the Company had not understood the sale; nor, when events at Port Nicholson had taught them what it would mean, were they prepared to endorse it. The newcomers, for their part,

15. The six pioneer ships arrived between March 1841 and January 1843. See R.G. Wood, From Plymouth to New Plymouth (Wellington, 1959), pp.116-118.

16. It is clear from Whiteley's reports of his conversations with the chiefs that they regarded the taurekareka as representatives of their own claims at Taranaki. See Whiteley to General Secretaries, 3 August 1840, MMS, p.3 and 15 August 1844, ibid., pp.3-4.

were committed to gaining recognition of their ancestral claims to land which in the meantime had been acknowledged as the property of a handful of locals, and of complete intruders.¹⁷ They challenged the first representative of the Company who came to assert his rights to the land, and they went on disputing the claims of the Company settlers until Governor FitzRoy met their demands in 1844.

Frederick Carrington, who arrived at New Plymouth early in 1841 to begin surveying for the Company, had run into immediate difficulties. A small group who turned up shortly after he began work at the Huatoki River ordered him to stop work in no uncertain terms: "They flourished their tomahawks, and danced, and yelled, and I thought we should all be massacred; however, it all became quiet".¹⁸ With the help of an interpreter it was explained to the Maoris - or so Carrington thought - that he was working on ground which the Company had purchased; and they seemed to agree that the land had indeed been sold. "[B]ut it appeared afterwards, when the next misunderstanding arose, that they supposed I meant only that piece of land which I had marked was sold; it was a very small patch, and belonged to a native named Poarama ..."¹⁹ Realising that land might have to be exchanged for the pakeha goods, Ati Awa were prepared to volunteer only the

17. Following Annexation, White did not complete his transaction with the Ngati Maniapoto chiefs, though the Commissioner later granted him a valuable piece of land in return for the surrender of all his land claims. But the sale had greatly irritated the Waikato chief Te Wherowhero. Unsatisfied with offers of part of the payment, he spared no effort to conclude his own sale with the Governor. In 1842 he and his brother Kati executed a new deed of sale, receiving a payment in horses and money. See Te Whero[where] to Te Puke, Whiti and Poharama, 27 March 1844. Donald McLean, Letterbook, Protector of Aborigines, Taranaki, 1844 (Hereafter Letterbook, 1844), MS. in Alexander Turnbull Library, (12).

18. F.A. Carrington, quoted in B. Wells, The History of Taranaki; a Standard Work on the History of the Province (New Plymouth, 1878), p.62.

19. Ibid.

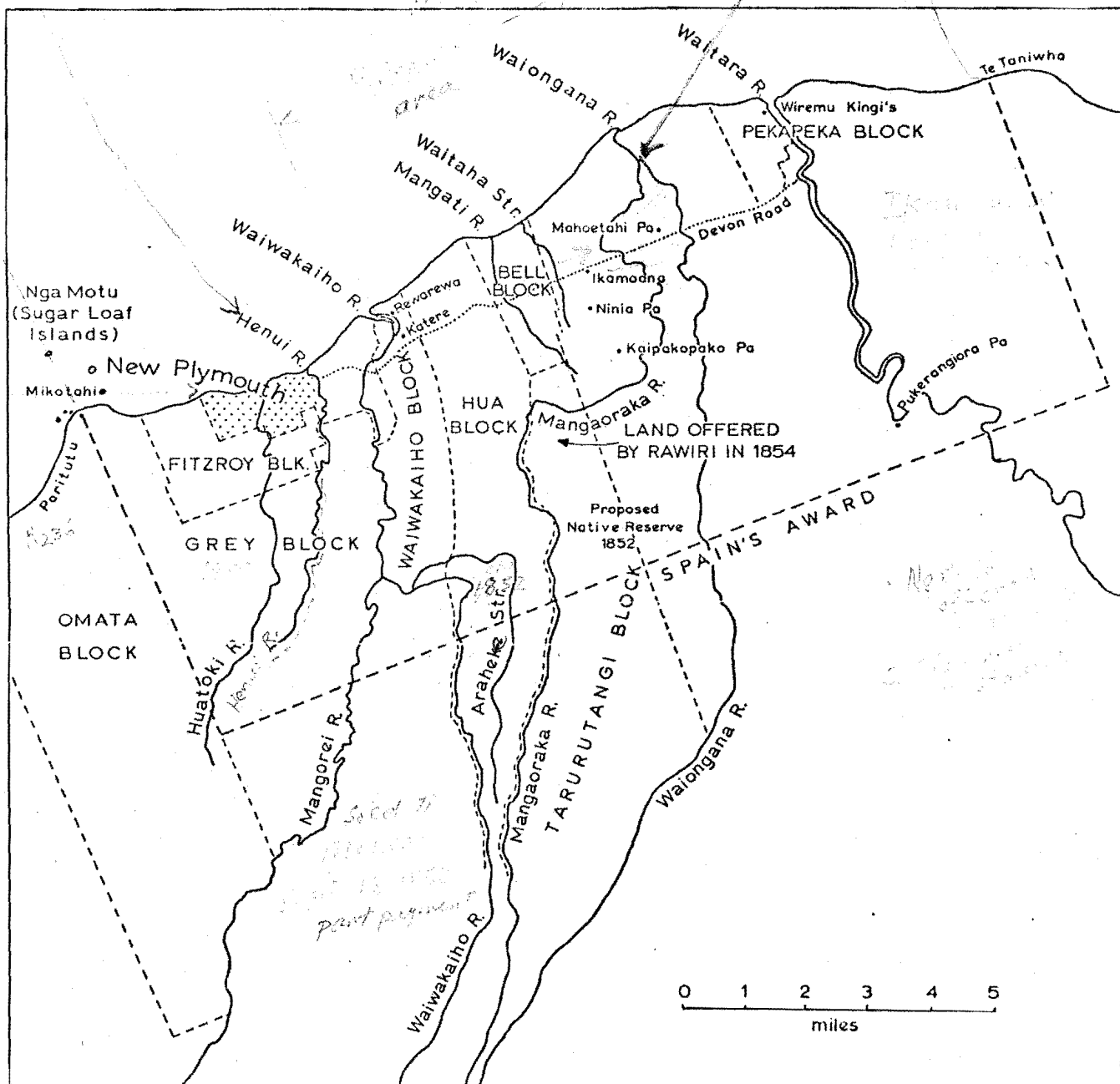
cultivations of signatories like Poharama. A couple of months later, they told Carrington that no pakeha would be allowed to settle there until the land was properly paid for.

From the time of these initial skirmishings, Ati Awa remained on the offensive. While reserves - Wakefield's tenths - were chosen for them by a Company representative at the distribution of town and suburban sections, they showed no signs whatever of occupying or using the land. Instead they were busy interfering with settlers whose operations they could not let pass unchallenged without seeming to acquiesce in the sale. In the town itself - laid out on Ngati Te Whiti territory - incidents were infrequent. But even here, late in 1842, Ati Awa men were fencing in Company sections for potato grounds, and the Company agent twice led a party to pull down the fence and finally arrested someone who menaced him with a tomahawk.²⁰ In August 1843 the Government issued a proclamation prohibiting settlers from performing 'acts of ownership' on land claimed by the natives. Soon afterwards, Ati Awa warned both the Chief Police Magistrate Henry King, and the Wesleyan missionary Charles Creed, that they should leave their properties. (Captain King, for one, rallied nobly, and said he would shoot the first Native who made the attempt.)!²¹

The Waitara land to the north of the River was designated rural in the New Plymouth plan, and few settlers were willing initially to stray so far from town. But a pair of agents who took possession of a section for absentee owners were driven off by an armed party in July 1842, and warned to keep to the south of the river. John Wicksteed, the resident Company agent, went with a Justice of the Peace and a posse of special constables to threaten the ringleader with arrest and trial at Port Nicholson.

20. J.T. Wicksteed to William Wakefield, 31 December 1842. Despatches from the Resident Agent, New Plymouth, New Zealand Company Papers [N^ZC], National Archives, 105/1, No. 25.

21. Wicksteed to Wakefield, 31 August 1843, N^ZC 105/2, No. 30.



Map 14.

Ati Awa land sales, 1840-60.

But though he crossed the river, and fired a volley over the land to take formal possession of it, the Waitara people were not impressed.²² A year later - when their population had been swelled by new arrivals from Waikanae - surveyors came to cut a line in preparation for making a road. One hundred men, women and children of Otaraua and Ngati Rahiri sat down in the way, and refused to be persuaded by the 'reasonable' arguments of some settlers and the Assistant Surveyor to shift. Wicksteed, mindful of Wairau, withdrew his party at once.²³

The most dramatic confrontations, however, took place on Puketapu land immediately to the north of New Plymouth, where a number of settlers took up suburban or close-in rural sections south of the Mangaoraka River. Selections of land were made on 4 July 1842, and the first settlers went out to their properties a few days later, and were at once interfered with. A party of thirty Puketapu burnt down Pearce's makeshift cottage, and went on to tackle the Bayly brothers, who had put up a tent on the adjacent section.

They were very furious, brandishing tomahawks & c, and attempted to tear down the tent; but the Bayly's very resolute and strong men, resisted and a sort of scuffle or wrestling match ensued between one of the brothers and a Native who acted as the champion of the assailants. Twice Bayly threw the [Maori], and was thrown himself the third time; whereupon the Natives crowded round him and one apparently was going to cleave his skull with a tomahawk, when a bystander levelled his fowling-piece at the Native, who then gave way.²⁴

All parties then agreed to adjourn to Wicksteed's house for a discussion. The meeting took place two days later, when Wicksteed assured the Puketapu that Commissioner Spain would compensate those entitled when he held his Court; and that any future trouble-makers might expect a trip to Port Nicholson in handcuffs.

22. Wicksteed to Wakefield, 25 July 1842, NZC 105/1, No. 11

23. Wicksteed to Wakefield, 31 July 1843, NZC 105/2, No. 23

24. Wicksteed to Wakefield, 25 July 1842, NZC 105/1, No. 11

But Spain's hearings were forever being postponed, and the delays forced the hand of the Puketapu. Until Spain arrived, and acknowledged their refusal to accept the settler claims, they were obliged to continue asserting their own claims to their land. In October 1843 Robert Lawe, a new arrival who began work on his land north of the Waiwakaiho was menaced by an armed party, one of whom brandished a tomahawk at him. But 'Mr Law[e], a strong and resolute man used him so roughly that he was glad to fly, & the visit has not been repeated'.²⁵ In December they prevented Josiah Flight from taking his sheep across the Mangaoraka River.²⁶ And in January 1844 a hundred armed men with their families cut down acres of trees at John Cooke's property, on the north bank of the Waiwakaiho River. They maimed his cattle with tomahawks, felled timber to within a few yards of his house, and jeered the Magistrate and Creed, who came to try and stop them. The Company agent and the visiting Whanganui missionary Richard Taylor fared no better, and the Ati Awa extended their activities to the section of Cooke's neighbour.²⁷

None of these attacks, of course, was the product of racial antagonism. On the contrary, the Ati Awa and the settlers soon became dependant on one another in the course of their respective assaults on the bush, and they lived together amicably enough. Wicksteed found to his surprise that the Ati Awa apologised for their attacks, and promised him their cooperation. The Puketapu went to work for the Bayly brothers, and shared their tent; and when in July 1843 the Ati Awa were thrown into a fright at rumours of the arrival of a new Waikato taua, the settlers helped them build a new pa.²⁸

25. Wicksteed to Wakefield, 31 October 1843, NZC 105/2, No. 38

26. Josiah Flight, Diaries, 1841-1852, MSS. in Taranaki Museum, entry for 6 December 1843.

27. Wicksteed to the Colonial Secretary, 12 January 1844, encl. in Wicksteed to Wakefield, 20 January 1844, NZC 105/3, No. 6; Richard Taylor, Journal, MS. on microfilm in Alexander Turnbull Library, entry for 29 January 1844; Wicksteed to Wakefield, 2 March 1844, NZC 105/3, No. 14.

28. Wicksteed to Wakefield, 31 July 1843, NZC 105/2, No. 23; Wicksteed to Wakefield, 31 October 1842, NZC 105/1, No. 21; Flight, Diaries, 11 & 12 July 1842.

The attacks on Cooke, who had formed a close relationship with a chiefly Maori woman, Wi Tako's sister Ngapei, seemed inexplicable: 'Mr Cooke[s] is very generally popular with the natives', wrote Wicksteed, '& gave no cause of offence for such depredations'.²⁹

Clearly, however, the Ati Awa did not expect the body of the settlers to stay. Commissioner Spain arrived finally to hear the Company's case in May 1844. He had been antagonised even before he left Port Nicholson by a few unblushing Ati Awa who told him they intended to extract payment from the Company for their Taranaki as well as for their southern lands.³⁰ He looked at New Plymouth, and saw a thriving settler community amidst a small Maori population for which ample land had been reserved. The immigrating Ati Awa, it seemed to him, were flippant, or opportunist, or contrary; if the Company paid the first groups it would be exposed to the expensive demands of an infinite number of refugees. On 8 June 1844 - to the astonishment of the Ati Awa - Spain announced himself in favour of a grant to the Company of 60,000 acres stretching north from the Sugar Loaves as far as Taniwha beyond the Waitara: nearly all the land they had claimed by virtue of the 1840 deed.³¹

Spain's decision, was, of course, predictable. In fairness to Wakefield's immigrants, he had upheld the validity of every sale of settled land, and argued that the Company's extra payments to unsatisfied claimants were a necessary formality, or were merely optional. But at New Plymouth the strength of Ati Awa feeling against the Sale eluded him so completely that he was misled into a quite impracticable decision. The alternative, admittedly, seemed bleak. Though Poharama had recognised his obligation

29. Wicksteed to the Colonial Secretary, 12 January 1844, encl. in Wicksteed to Wakefield, 20 January 1844, NZC 105/3, No. 6.

30. BPP, 'Reports by Commissioner of Land Claims, 1846' No. 3, Spain to FitzRoy, 31 March 1845, p.52 (60).

31. Ibid., Encl. 3 in No. 3, 'Minutes of the Proceedings ...', p.69 (77). The pa, cultivations and wahi tapu of the Ati Awa were excepted from the grant.

to make payment in land for the goods he had received, and the Puketapu leaders were later to follow his lead, there was no evidence in mid-1844 that the Ati Awa felt a responsibility to accommodate more settlers than they had been paid for, or might wish to invite among them. Spain shrank, therefore, from affording them the opportunity of a deliberate sale.

The Ati Awa attitude to the decision was no less surprising than Spain's. Within hours, the Puketapu leader Katatore had a party of fifty men on its way to destroy the houses of the Mangaoraka outsettlers, and drive their occupants into Town; and they were deterred only by Protector Clarke's assurance that the Governor would listen sympathetically to their case. In response to the Ati Awa petition, FitzRoy arrived in New Plymouth in August.³² But it is doubtful whether his opinions were much influenced by Katatore's forceful enumeration of his grievances.³³ Clearly it was impossible to guarantee the outsettlers safe possession of their sections. FitzRoy had no alternative but to set aside Spain's recommendation. On 3 August 1844 he announced that the claims of those who had not been party to the 1840 Sale would be recognised, and would be investigated by the newly appointed local Protector Donald McLean.³⁴ In November, when McLean's report was finished, FitzRoy returned to New Plymouth to inform the settlers that all their land must be repurchased, and to preside at the first deliberate Ati Awa sale. Ngati Te Whiti were persuaded into selling a small block of 3500 acres, and FitzRoy triumphantly put the settlers in possession of the site of the New Plymouth township.

32. Whiteley to the Secretaries, 15 August 1844, MMS, pp.5-7. A copy of the Ati Awa address to the Governor, dated 10 June 1844 is enclosed, ibid., Encl. 1, 'Copy of a Letter to the Chief Protector', 1 July 1844.

33. See 'Minutes of Meeting Saturday 3 August 1844 ...', Donald McLean Papers, Alexander Turnbull Library, Folder 1.

34. BPP, 'Reports by Commissioner of Land Claims, 1846', Encl. 8 (No. 1) in No. 4, FitzRoy to Stanley, 22 February 1845, p.135 (143).

For Maori and pakeha alike, the results of this apparent Government treachery were to prove disastrous. A Court decision adverse to the Company would have been unpopular, but it would have protected the settlers from the worst psychological effects of a subsequent reversal. The settlers never forgot that the Ati Awa land was 'rightfully' theirs; that an independent Commissioner had found in their favour. Nor did they ever forgive Katatore his apparently crucial role in securing the Government decision.

Katatore belonged to the small Puketapu hapu Ngati Tanewai. He seems not to have been of high birth. Slight in build, with an immense bush of hair which stood a foot above his head, he was a person of impressive character, an orator, and a shrewd leader of men. In a community composed very largely of returned taurekareka, deprived by war, epidemic and migration of its natural leaders, Katatore had seized his opportunity, and he soon emerged as the Puketapu spokesman.³⁵ He himself, after all, was a taurekareka. In 1840 he had still been away at Kawhia. He had neither signed Wakefield's deed nor taken any goods. The more eminent Puketapu families - embarrassed by the participation of their own representatives in the sale - did nothing therefore to discourage his pretensions. While he was useful to them, while they could shelter behind his righteous, articulate indignation, they allowed him free rein.³⁶ By the end of 1844, the settlers had clearly identified him as the villain of the piece. The respected Kawhia missionary

35. Lists of the Ati Awa hapu may be found in McLean, Diaries/Notes, Box 1, MSS. in Alexander Turnbull Library [1844]. See also C.J. Abraham, Journal of a Walk with the Bishop of New Zealand, from Auckland to Taranaki, in August 1855 (London, 1856), pamphlet in Hocken Library, pp.31, 37-38. According to their own account, the Puketapu had suffered devastating losses in epidemics (dysentery, influenza) at the turn of the century. See, for instance, Smith, History and Traditions, p.269.

36. See, for instance, McLean, journal entry for 16 August 1844, in Letterbook, 1844.

John Whiteley put the seal on his reputation. At the beginning of the year, when the scorn of the southern, Hadfield-trained, Anglican Ati Awa had got too much for him, Katatore left the Wesleyan Church and took up with the CMS. In January he was rebaptised by Richard Taylor.³⁷ Whiteley never forgave him; nor did he forget his duty as Katatore's true spiritual mentor. Summoned to New Plymouth in August to advise FitzRoy, Whiteley in his turn brought Haupokia, the Ngati Maniapoto chief whose taurekareka Katatore had been. And the settlers were treated to the sight of Katatore being mercilessly put down by Haupokia:

It is since your return that you have become a tall man; you have to thank me for your being so tall. But I did not send you here to quarrel with the Europeans; I sent you expecting you would be friendly with them; and why should you not? ... it is by having Europeans with you that you are now great. You have to thank Christianity for this - if it had not been for Christianity you would not have been here, you would not have had land to contend about either with Europeans or anyone else - all your land would have been taken from you by us, and you would now have been in bondage.³⁸

Whiteley congratulated himself on his foresight in inviting the author of such a speech, and the settlers were so appreciative that they had a whip-round and presented him with five sovereigns. With this public testimony to his hostility and obstructiveness, Katatore achieved irrevocable notoriety at the very time when his role as leader of the Puketapu fight for recognition was all but at an end.

For three more years, the Ati Awa made no new sales of land. But in February 1847 a new, less sympathetic Governor arrived in New Plymouth, determined to solve the problems of the settlement. Captain George Grey saw little hope of extracting concessions from chiefs whom he regarded as in every way inferior. If he were to negotiate successfully, it seemed to him, he must impart chiefs of stature. Te Puni, Wi Tako, and Wiremu

37. Whiteley to the Secretaries, 15 August 1844, MMS, p.6; Taylor, Journal, 27 January 1844.

38. Quoted in Whiteley to the Secretaries, 15 August 1844, MMS, p.13.

Kingi of Waikanae accepted his offer of a free visit home in a naval vessel with alacrity. And while Grey waited for their influence to work on the unruly locals, he revealed his plans for the future of New Plymouth. He intended, he said, to repurchase all the land awarded the settlers in 1844, which, by virtue of Wakefield's deed, was properly theirs. He would, however, honour FitzRoy's promise of recognition for the claims of recent Ati Awa migrants, by making large, segregated reserves for all the Ati Awa. They would be paid for their lands in six-monthly instalments, to give them a continuing source of income; and as pakeha settlement proceeded, they would be able to sell portions of their reserves at a handsome profit. As for the Waitara people, they were to move to the north bank of the river, abandoning the south bank to the settlers, to found an exciting new model village, with a church, a school, streets and farms.³⁹

Grey's scheme, it must be said, had much to recommend it. It took into account the needs of both Maoris and settlers, and it offered both parties an escape from the stalemate which they had reached on the question of land settlement. Yet Grey wrecked its chances of success at the outset. As he told Wi Tako - who doubtless reported the compliment to his relatives - he thought he was dealing with a pack of savages, who could not understand what was good for them.⁴⁰ He sought neither the opinions nor the cooperation of the Ati Awa leaders. He lectured, he blustered, he threatened. Any party who opposed his plans or did not 'meet views which he considered as most favourable for their interests' would find their claims to compensation ruthlessly investigated.⁴¹ Most of them, he thought, had no claims. Most of them, if they objected, would therefore lose their

39. Nelson Examiner, 13 March 1847 - Taranaki Correspondent; Taranaki Herald, 5 September 1855, H. Hanson Turton to the Editor, encl. Journal extracts. Under FitzRoy's settlement, the Company retained the right of pre-emption within the boundaries of Spain's award.

40. 'Taranaki Land Claims, March 1st 1847', McLean, Letterbook, 1846-7 (Private Correspondence, commencing in January 1847) (Hereafter Letterbook, 1846-7). (58), Alexander Turnbull Library.

41. Ibid.

right of participating in his scheme. The Government recognised their claims not as of right, but from a sense of fairness; but they in turn must be fair, and resell all the land the settlers had a right to expect from them.

For all his forceful speeches, Grey made such an appalling impression on the Ati Awa that they simply failed to take him seriously. What could he do to them, after all, if they chose to keep their land? Poharama of Ngati Te Whiti, who announced that his sale of the FitzRoy Block - the only land the settlers held - would be his last, was castigated like a child: 'His Excellency told him he did not consider he had any right to the land as he had disposed of it while others were absent & caused all the trouble that has since ensued, & that the only amends he could now make was to assist in getting the matter settled.'⁴² The Puketapu were threatened with instant investigation of their claims unless they toed the line, and were reminded that 'they were once driven from their land and they had better not run the risk of its being repeated[,] that he ... should adhere to his own plans & purposes'.⁴³ And Wiremu Kingi - in whose friendship Grey professed to be especially disappointed - was informed that if he tried to return to the Waitara with his people he would find a strong party of soldiers ready to escort him back again.⁴⁴

There was little enough, in these circumstances, that the Ati Awa elders could say to Grey. As they defied him, or else withdrew in silence, his plans for the settlement miscarried amidst a welter of hollow threats. But Grey did succeed in buying Ati Awa land. On 3 March 1847 Poharama,

42. Ibid.

43. Ibid.

44. See Taranaki Herald, 5 September 1855, Turton to Editor.

Te Waka and Honi Ropiha of Ngati Te Whiti offered him 15,000 acres inland of the FitzRoy Block. It was broken, heavily wooded land which the Company agent thought unlikely to be taken up by the settlers - but it was nevertheless a sale; and Grey was ready to hail it as a capitulation.⁴⁵

In a sense, of course, it was. Te Puni and his cousin Wi Tako had evidently come to Taranaki in the hope of exacting recognition from Grey for their claims in the FitzRoy Block. In return for a Government payment, they promised him more land. Poharama, it seems, was offered the choice of making the sale himself, or having it made over his head. And a year later, Wi Tako and Te Puni got the payment for FitzRoy they had wanted.⁴⁶

In one respect at least, Grey's visit had proved immensely reassuring to the Puketapu. For all his sound and fury, the Governor had confirmed that even signatories to Wakefield's deed had the right to make a new sale of their land. The chiefs hesitated no longer. They were anxious for pakeha, for goods, and for recognition in the settler community. Above all, they were anxious to dissociate themselves from Katatore. As they quarrelled over their own claims, they began to make the Government deliberate offers of land. Within a few months of Grey's visit, the three

45. Irish University Press Series of British Parliamentary Papers. Colonies New Zealand (Shannon, 1969), Vol. 8; 'Correspondence and Papers relating to the Administration of the Colony and other Affairs in New Zealand 1852' [1852 (570) 35], 'Letters from the Commissioners for the Affairs of the New Zealand Company and the Directors of the Company' (Hereafter 'Letters from the Commissioners, 1852'), Encl. 2 in No. 228, T.C. Harrington to Earl Grey, 15 June 1850, 'Report by Mr Halse ...', p.501.

46. See 'Taranaki Land Claims', McLean, Letterbook, 1846-7 (58); unheaded mem., n.d., McLean Diaries/Notes, Box 1; [H. Hanson Turton], Maori Deeds of Land Purchases in the North Island of New Zealand (Copied from the Originals), Vol. 2 (Wellington, 1878), pp.16-17. The absentees' share of the payment was £100.

most influential Puketapu leaders all tried - without success - to make sales. They found, to their chagrin, that it was more difficult to sell land than they had been led to believe. Anxious as he was to make a purchase, McLean had taken the warning of the outsettlers' difficulties to heart. The Government could offer them no protection from claimants who would not recognise a sale, and simply continued to uphold their own rights to the soil. And McLean refused to commit his meagre resources to transactions which could only bring heartbreak to potential pakeha customers.⁴⁷

The first of the Puketapu disputes erupted almost as soon as Grey had left New Plymouth. Surveyors moved on to the new Grey Block in April, to cut the northern boundary - the boundary between Ngati Te Whiti and Puketapu land - and the Puketapu were invited to help define the line. During the discussions, however, they fell to quarrelling among themselves. In April Katatore's people erected posts on the north bank of the river, to which (in the ceremony of tapatapa) they gave Katatore's name.⁴⁸ Such a blatant assertion of claim to the Waiwakaiho land proved too much for Paora Horoatua, the elderly chief of the Puketapu hapu Ngati Huetu. He pulled up Katatore's posts, and went to offer McLean the land at Mangati for sale. He enrolled his son Rawiri Waiaua, a middle-aged man, as a private in the New Plymouth police force. Rawiri's salary -

47. McLean was appointed Inspector of Police at Taranaki in 1846, when the protectorate was abolished. But he was still in charge of land purchase, and of local Maori affairs generally.

48. Edwin Harris to McLean, 9 August 1847, McLean Papers, Folder 123: McLean to Colonial Secretary, 13 April 1847, Maori Affairs files, Maori Land Purchase Department, New Plymouth, No. 1, Outwards Letterbook, 1846-1863 (Hereafter MA/MLP/NP1), No. 47/2; McLean to Colonial Secretary, 29 April 1847, ibid., No. 47/6. It was in the course of the same quarrel that a carved 40 foot flagstaff was erected in October 1849. See BPP, 'Letters from the Commissioners, 1852', Encl. 2 in No. 228, Harrington to Grey, 15 June 1850, 'Report by Mr Halse ...', p.501.

for which he did not actually perform police duties - gave his family an income of twenty-five shillings a week; by the end of the year Ngati Huetu were carrying their produce to New Plymouth in their own horse and cart.⁴⁹

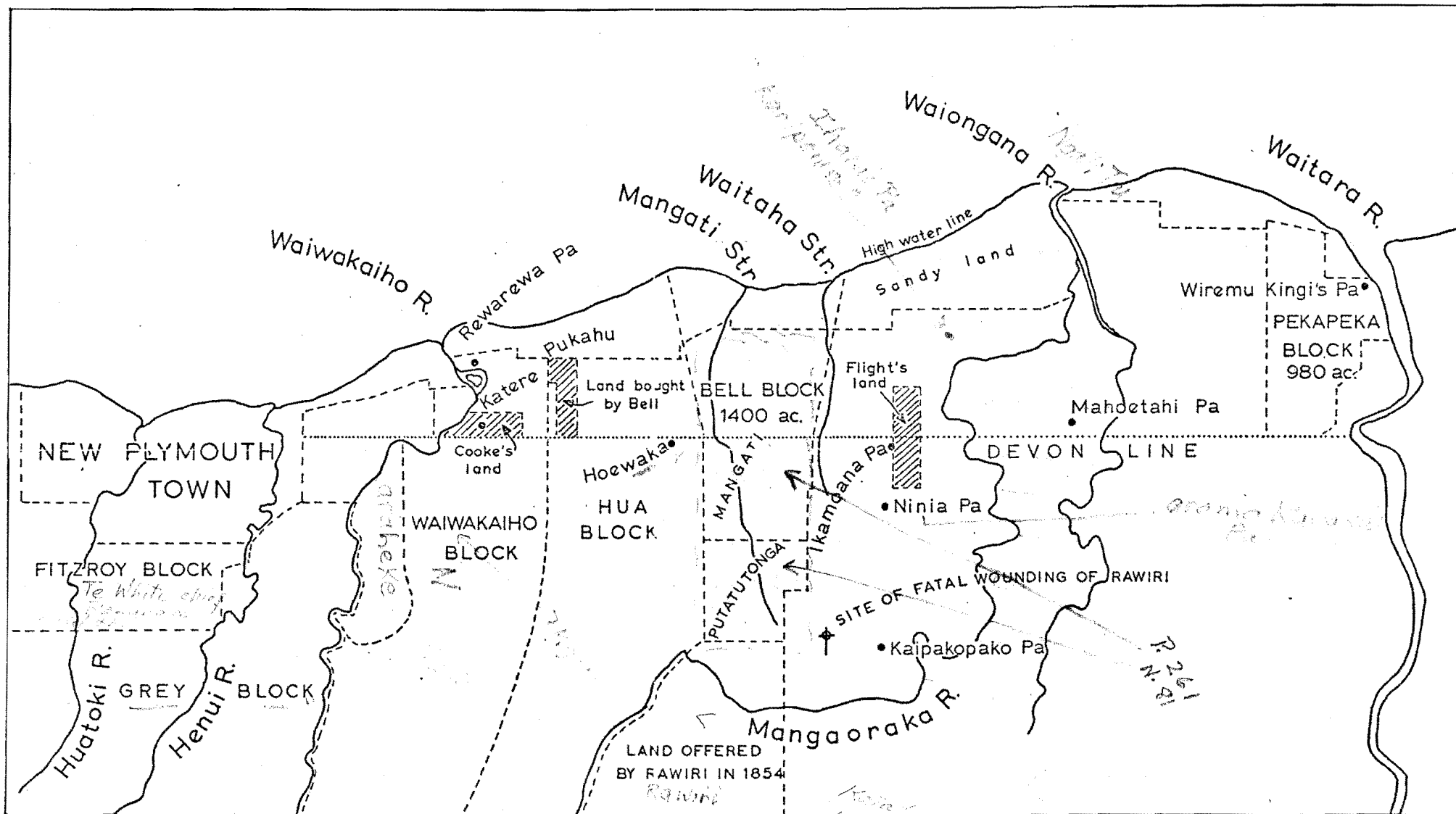
The second offer of land was the result of a long-standing quarrel between Ngati Te Whiti and Ngati Tawhirikura on the one hand, and various Puketapu parties on the other. John George Cooke's sections at the Hua were marked out on disputed land very near the site of the old Ngati Tawhirikura pa Rewarewa, on the north bank of the Waiwakaiho River. Ngati Tawhirikura had reoccupied the pa, in the wake of a swift and devastating Taranaki invasion, about 1770, and some forty years later had defended it with heavy losses in two battles against a second Taranaki taua.⁵⁰ Their claims to the Hua had been maintained at some cost, and in the first years of the Settlement they sent representatives home from the South to defend them. Wi Tako announced at the outset that he had sold Cooke's land when he signed the Port Nicholson deed, and that he meant to stick to his bargain. His father, his brother Wi Tana and sister Ngapei were soon established as Cooke's neighbours, and Ngapei, who had her own outbuilding on his land, maintained her people's claim to the pakeha in the traditional manner. A few years later she bore Cooke's child.⁵¹

49. Ibid.; Wicksteed to Wakefield, 30 April 1847, NZC 105/6, No. 19/47; McLean to King, 12 May 1847, MA/MLP/NP1, No. 47/14; McLean to Colonial Secretary, 24 May 1847, ibid., No. 47/9; Richard Brown to McLean, 18 October 1847, McLean Papers, Folder 180.

50. For an account of the invasions see Smith, History and Traditions, pp.212-226, and 258-268. After the capture of Rewarewa, which Smith dates at between 1805 and 1810, Te Puni was one of those who escaped to take news of the attack to a neighbouring pa.

51. Wicksteed to Wakefield, 30 June 1845, NZC 105/4, No. 20/45. On Ngapei's relationship with Cooke, see Walter Mantell, Journal, MS. in Alexander Turnbull Library, passim. The child was born on 14 February 1846.

Lands disputed among the Ati Awa.



The Puketapu campaign against this Ngati Te Whiti monopoly of Cooke dated from Cooke's first occupation of the land. On different occasions, they felled bush and planted potatoes all over his property, and let their pigs run in his crops. In 1846 Purakau of Ngati Puhoromanga set fire to Ngapei's shed. In August 1847 Parata Te Huia, chief of Ngati Hinerauhuia, and his brother Iharaira Te Tuke offered part of Cooke's land for sale. When McLean proved uncooperative, Te Huia's people reoccupied the land, and planted acres of potatoes.⁵² And they were still there early in 1848, when Governor Grey returned to New Plymouth.

Grey's second visit to the Settlement was to prove no more satisfactory than his first. With his usual flair for the dramatic, he had written to McLean in December announcing his impending arrival, urging that all land negotiations be immediately suspended. But both McLean and Francis Dillon Bell, the newly-appointed Company agent, found their expectations sadly disappointed. Grey was still talking of a model village on the north bank of the Waitara. He refused to listen to McLean, who doubted that Kingi's people could so easily be persuaded to abandon their land on the south bank, and sent him south on a fruitless mission to obtain Kingi's agreement to the sale - and the model village. He ignored Bell's objections that the land could never be bought for such a low price as 1/6 an acre, that it was risking the security of the settlement to concentrate a strong body of

52. See John George Cooke to McLean, 7 February 1845, McLean Papers, Folder 226 (1); Cooke to McLean, 12 March 1845, *ibid.*, (2); Cooke to McLean, 1 September 1847, encl. in McLean to Colonial Secretary, 2 September 1847, MA/MLP/NP 1, No. 47/15. Encl. filed in Internal Affairs Series [1A] 1/51, CS 47/1805; Cooke to McLean, 26 September 1846, McLean Papers, Folder 226 (7); Cooke to McLean, n.d., *ibid.*, (23).

Maoris on the far side of the river, that much of the land there had in any case been selected by settlers.⁵³ But he did make one concession: in the absence of his own officer McLean, he agreed to allow Bell conduct his own negotiations with the Puketapu for the purchase of their land. Bell - egocentric, ambitious, derisive of McLean's land-buying efforts - was certain that any difficulties could be overcome by a simple show of official determination.

The Puketapu welcomed Bell with open arms. Ngati Puhoromanga, the small hapu who maintained vehement claims to part of the Hua, sold seventy acres of Cooke's land at a price of four calves. They knew, of course, that they could not bring the sale off. Bell blithely accepted their assurances that Te Puni would agree to the sale of Cooke's adjoining sections; Te Puni did not agree.⁵⁴ But Ngati Puhoromanga did not remind Bell of Iharaira Te Tuke's claims at all. Te Tuke was away at Auckland, and Ngati Puhoromanga were anxious to sell the land without him, and to pocket all the payment before he got back. They chivvied Bell so mercilessly for cash that in self defence he paid them from his own pocket.⁵⁵ And when Te Tuke returned, they refused to share it with him. Te Tuke was furious, and by July Cooke was back where he had started: a Puketapu messenger came to order the removal of the cattle he had been running on his own land.⁵⁶

53. F.D. Bell to W. Wakefield, 8 March 1848, NZC 105/7, No. 6/48; for McLean's account of his visit to Waikanae, see McLean to the Lieutenant Governor, 6 April 1848, MA/MLP/NP1, pp.94-97.

54. For Bell's account of his purchases from Ati Awa, see Bell to Wakefield, 15 April 1848, NZC 105/7, No. 9/48, and encl.; Bell to King, 29 April 1848, McLean Papers, Folder 137.

55. Bell to Wakefield, 6 May 1848, NZC 105/7, No. 12/48.

56. Cooke to McLean, 16 July 1848, McLean Papers, Folder 226 (13); McLean to Colonial Secretary, 20 September 1848, MA/MLP/NP1, pp.103-104; McLean to King, 27 November 1848; ibid., p.111.

Bell, meanwhile, had pressed on with the purchase of Horoatua's land. He held a meeting with both parties of Puketapu - a stormy session, with Te Huia and Katatore shouting and threatening a fight if the sale should go ahead. He walked over the land, and announced that he would have it. Ngati Huetu were jubilant. On the appointed day sixty of their party went out with Bell to stand over him as he cut the lines. Te Huia's people were there before them, cutting their own boundaries; and when Ngati Huetu arrived they were ready for a dramatic demonstration of their claims. 'The battle began' wrote Bell, 'at the first line I cut: and at some places the ground was fought for inch by inch. Of all the sights I ever saw, the fighting was the most absurd: the natives used only their fists, sticks, and the backs of their tomahawks: anything like a sharp edge was most religiously let alone: and it was perfectly wonderful to see the amount of battering they endured, without really using the deadly weapons they carried'.⁵⁷ Clearly, the fight was pre-arranged to avoid bloodshed, to ensure that the land would not be randomly awarded to either party. There was no point, the Waitara people had explained to McLean some time before, in resisting the cutting of a boundary too fiercely, and risking 'the drawing of blood which would occasion all the land to go to the party claiming it in payment for the blood drawn even if not an owner ...'.⁵⁸ The line-cutting took several days. When it was finished, there was a great feast; all parties shook Bell by the hand, and Bell - convinced that resistance to the sale was crumbling - went home a happy man. Surely, he wrote to Wakefield, Government officers might now be able to carry the work of purchase to completion.⁵⁹

57. Bell to Wakefield, 15 April 1848, NZC 105/7, No. 9/48.

58. Donald McLean, Diaries/Notes, Box 1, 1846-1847, entry for 3 November 1847.

59. Bell to Wakefield, 15 April 1848, NZC 105/7, No. 9/48.

Bell's difficulties, of course, were only beginning. He had been trapped into the very mistake which McLean had been so anxious to avoid: he had bought paper land, land which in practice could not be secured to the settlers. He had thought the opponents of the sale could be made to accept a fait accompli, and he was wrong. He had expected that a grateful Government would be swift to provide funds for the completion of the purchases, and he was wrong in this too. Like every Taranaki land purchase agent before and after him, he soon found himself helpless in the face of Government inaction. The price of the Bell Block had been set at £200, and Ngati Huetu stipulated that it be paid not in money, which would be rapidly dissipated among so many claimants, but in breeding stock and agricultural implements.⁶⁰ Bell, unable to provide the mares and heifers he had promised, could only fume. As time passed, and there was still no payment, Ngati Huetu faced humiliation at home. They got their payment, in the end, by accident; and they too learnt from chastening experience that unilateral sales could not work.

Towards the end of July, a case of puremu (adultery) was discovered between Rhipeti, wife of Timu of Ngati Huetu, and a man of Ngati Ruanui named Te Meihana. Timu, a nephew of Wi Tana, was of good birth, and his relatives decided to pay him the compliment of murū, to punish him for the loss of his wife. Wi Tana and Ngapei went together, and made a good job of it: they burnt Timu's house, his wheat stacks and potato stores, while Timu himself looked quietly on, making no attempt to interfere.

Some of the local people, however - perhaps with a score of their own to settle - decided to use the incident to stir up trouble. They went

60. Bell to King, 29 April 1848, McLean Papers, Folder 137.

to see Richard Brown, a hardboiled local trader whose wife Ngarau and child were Puketapu, and told him that Wi Tana and his sister had burnt not only Timu's property but also some belonging to Brown's child and his wife's relatives. Brown had something of a reputation for his hot temper and, as his mischievous informants had evidently expected, he lost no time in dashing off to the Hua, to insult Ngapei for her interference with his people. Ngapei realised at once that trouble was afoot. Accompanied by Wi Tana and a small party she set off for Town to ask McLean to investigate the source of the false reports. But Brown, still furious, followed them and overtook them as they sat resting. As he rushed his horse at them, Ngapei's party scattered; Wi Tana alone sat perfectly still. In a rage, Brown struck him on the head with the metal butt of his whip, and knocked him unconscious.⁶¹

Immediately, the local people were in an uproar. Wi Tana had recovered consciousness in a few minutes, but the damage was done. He had been struck on his head, and he had been struck by someone who was perfectly well aware of the nature of the insult he had offered. The Puketapu wanted utu. Tamati Waka of Ngati Tu - the up and coming Puketapu leader who aspired to replace Katatore - suggested an immediate attack on the settlement, to take indiscriminate utu from pakeha in general. The idea was overruled, notably by Wi Tana himself; but the Taranaki people of Omata, ever-hopeful of a brush with Ati Awa, pledged themselves in any case to the settlers' defence.⁶²

The following day, three hundred armed men of Ati Awa assembled at Wi Tana's place at the Henui and shook the ground with their haka; and

61. Donald McLean, 14 August 1848, MA/MLP/NP1, pp.100-101.

62. Ibid., pp.101-102.

many more took part in discussions as to what should be done. The Puketapu thought it a good opportunity to begin extricating themselves from their as yet unconfirmed sale of the Bell Block. They harangued McLean on the dangers of having pakeha to live among them, threatened him with their withdrawal from the sale, spoke again of retaining all the land north of Waiwakaiho. But Wi Tana himself wanted utu only from Brown, and the excitement passed over.

On 3 August, when he was well enough to attend Court, he was carried in to the Courthouse on a stretcher, accompanied by eighty or ninety armed Puketapu. There was another haka, and some speeches, and the case adjourned to the following day. Brown, called to answer the charge, admitted his guilt 'in a most humiliating manner'; Wi Tana forgave him and declined proceeding with the case. Then a couple of elders asked that Brown be released, and that his horse Jack, from whose back the blow had been struck, be given as utu for his offence. McLean explained that - as the case was being tried according to British law in a British court - such a proceeding was inappropriate. Instead, Brown was fined five pounds. Wi Tana was awarded his damages by the Court - half the sum of Brown's fine. The horse was handed over anyway outside!⁶³ With British and Maori justice both done (though Wi Tako for one thought it a low sort of Maori justice, degrading to one of his brother's rank) the case was apparently settled.⁶⁴

The Puketapu, however, had not quite finished with Brown. He had put himself very badly in the wrong, and must have suffered the social consequences. It is not surprising, then, that a few months later he leapt at the opportunity of redeeming himself.

63. *Ibid.*, pp.102-105. See also 'Diary of John Newland, 1841-1873', MS. in Hocken Library, entry for 4 August 1848.

64. Wi Tako to McLean, 1 September 1848, McLean Papers, Folder 668. Wi Tako came up later from Wellington and had the horse returned.

On 23 November 1848 the ship Star of China arrived at New Plymouth, with a cargo of horses, cattle and merchandise for Brown. The following day, as it happened, the Puketapu had been invited to meet McLean to reopen discussions about their payment for the Bell Block. One previous attempt had been made late in August, by William Halse, the New Zealand Company agent who succeeded Bell. For Halse, the meeting had been a bewildering one. Though no purchase price had been named on Bell's deed, he knew that it had been set at £200. But one speaker after another rose to contradict him. The two hundred pounds, they all agreed, was to have been only the first instalment of three; some thought the total payment had been set at four hundred pounds, and some thought six hundred. Whether these demands represented a genuine misunderstanding, a determination to seek a bigger payment, or merely - in the wake of Puketapu displeasure with Brown, a form of stalling - is not clear.⁶⁵ But the second meeting, on 24 November, was no more conclusive. The Puketapu reiterated their high expectations; Captain King, the Magistrate, reiterated his determination to keep to the original agreement. There seemed little hope of a quick settlement.⁶⁶

Yet only a few days later, McLean presided at the formalisation of the purchase. The payment - two hundred pounds - comprised 22 head of cattle, a mare and two fillies, and was supplied, on his own initiative, by Richard Brown.⁶⁷ With the stock actually within their grasp, Horoatua's Puketapu seem not to have hesitated. An abstract payment however high was of no interest to them; what they wanted was stock, the proof that their

65. W.Halse to William Wakefield, 1 September 1848, NZC 105/7, No. 24/48, encl.; McLean to King, 28 November 1848, MA/MLP/NP1, pp.112-113.

66. Halse to William Fox, 5 December 1848, NZC 105/7, No. 48/48; Halse to Fox, 12 December 1848, ibid., No. 50/48.

67. Ibid.; Halse to Fox, 2 December 1848, ibid., No. 47/48. For a copy of the deed of sale, see [Turton], Maori Deeds, Vol. 2, pp.19-20.

claims were recognised. On 29 November they all assembled in New Plymouth and, after a further formal discussion, signed the deed. The cattle were divided sedately among the various hapu - but the horses, the animals most highly valued, were left till next morning. Lightly clad, armed with spears and tomahawks, the Puketapu returned to stage a ritual struggle over their possession. In the midst of the fracas, Tamati Waka seized the filly to which he was entitled, and took off for home. 'The Natives chased him for some distance, but his pace was so increased by the yells in his rear, that he was soon far enough in advance of his pursuers to give them an excuse for leaving him alone, and returning to the Town.'⁶⁸ And when all the excitement was over, McLean was still recommending that the Bell Block not be made available to the Company for immediate settlement.⁶⁹

In the end, then, Parata Te Huia beat Horoatua at his own game. Horoatua had thought to force his sale on Ngati Hinerauhuia, and ride roughshod over their opposition by installing his settlers on the land. Instead, he endured a humiliating struggle for his payment, only to find that he was still without his settlers. On his own, he could not offer them security of tenure; he could not bring his business to completion unless he had Te Huia's consent.

The Bell Block negotiations dragged over the next four years. At the end of December 1850 Commissioner McLean tried to hurry Te Huia by declaring that he would pay all the absentee claimants to the Bell Block

68. Halse to Fox, 5 December 1848, NZC 105/7, No. 48/48.

69. McLean to Grey, 12 December 1848, MA/MLP/NP1, p.115; McLean to Colonial Secretary, 23 October 1849, IA/1/74, CS 49/2221.

in Wellington. As the Settlement spread south of New Plymouth, however, there was already a growing feeling among the Puketapu that they might miss out on the pakeha altogether. Within two weeks of McLean's announcement Te Huia, Te Tuke, and Tamati Waka went in to New Plymouth to conclude the sale. But Te Huia overplayed his hand, and the Government quietly allowed the matter to drop. Determined to conduct his own, separate sale, to exact a new payment as large as that of Ngati Huetu, he demanded 'horses, cows, blankets, clothing, a cask of tobacco and money before the land would be given up - if not, let the subject for ever cease'.⁷⁰ McLean, in any case, was away, and Captain King, the Magistrate, could promise nothing. Nor was the Government prepared to treat on such terms. The Bell Block sale had already been negotiated; the outstanding claimants were entitled to nothing more than the thirty pounds of the purchase money which had been set aside for them. Te Huia, for his part, was content to bide his time. Left to himself, he might have held aloof much longer. But over the next six months, he came under increasing pressure to settle with the Government - not from his own people, or from Ngati Huetu, but from Katatore.

Katatore's fall from the Puketapu leadership had been sudden and complete. As first one faction and then another threw him over, he found himself isolated. His rival Tamati Waka secured the backing of Te Tuke, and replaced him as the spokesman of Ngati Hinerauhia.⁷¹ Only Bell - ignorant of his changed status - had continued to cultivate him. In July 1848, in an evident attempt to boost his prestige, Katatore accepted Bell's invitation to accompany him to the South with his wife.⁷² He

70. King to McLean, 14 December 1850, McLean Papers, Folder 374 (48); H. Hals to McLean, 4 January 1851, McLean Papers, Folder 125. McLean was appointed a Land Commissioner in April 1850; he left New Plymouth permanently the same month.

71. Thus, for instance, Tamati Waka's prominent part in the Brown-Wi Tana affair, and at the meetings over payment for the Bell Block.

72. Halse to Wakefield, 7 August 1848, NZC 105/7, No. 21/48. Bell had been Company agent at New Plymouth for less than a year; he left to take up the same post at Nelson.

visited Wellington and Nelson, met the Governor, the Lieutenant-Governor, and Colonel Wakefield. But when he returned home in September, it was to find Ngati Hinerauhuia in occupation of the Ikamoana - the land of his own two settler families.⁷³

Katatore had been anxious, in 1844, to keep some settlers for the Puketapu: 'There are some 7 or 8 that live at Puketapu who behaved very quietly', he had told FitzRoy. 'I don't want to part with them'.⁷⁴ Alone among the Mangaoraka settlers, Josiah Flight and his partner Devenish decided to accept the invitation, and to stay on their properties on sufferance, in the hope of an eventual Crown grant. For them, it was to prove an unhappy decision. Katatore wanted the prestige of his own pakeha, and the use of them to maintain his own claims to the Ikamoana. Flight and Devenish suffered his importunities - and those of rival Puketapu claimants - accordingly. They found their bullocks and cart requisitioned, their services enlisted to cart Puketapu wheat, while the Puketapu themselves stood by and watched, without raising a finger to help. They had to make frequent presents to secure Puketapu forbearance (or, rather, to satisfy each group of claimants), and to pay high prices for the privilege of cutting firewood on their land. Katatore - who made special demands on them - would stack his wheat in Flight's rickyard to be thrashed in the barn, or would seek the use of their oven for his wife's baking, or order clothes to be bought for her.⁷⁵

For four more years, despite everything, Flight and Devenish held on. In July 1848 they were living with their Puketapu neighbours on friendly

73. Halse to Wakefield, 9 October 1848, *ibid.*, No. 35/48; McLean to Colonial Secretary, 20 September 1848, MA/MLP/NP1, p.103.

74. 'Minutes of Meeting', McLean Papers, Folder 1.

75. See statement of Flight and Devenish, n.d., McLean Papers, Folder 124.

terms, and they begged the well-intentioned Bell not to stir up trouble by trying to buy their land.⁷⁶ But only two months later, the blow fell. Infuriated by his humiliation at the hands of Ngati Puhoromanga, Iharaira Te Tuke took advantage of Katatore's absence to assert his claims to the Ikamoana in no uncertain manner. In September Te Tuke, Te Huia and Tamati Waka arrived on the settlers' doorstep, and told them they must leave. For six years, they charged, Flight and Devenish had used the land without paying, and their stock had damaged Puketapu crops. They might stay to get their crops out of the ground - but no longer. And Ngati Hinerauhua began to cart timber on to the land, to build a pa.⁷⁷

Katatore, enraged, could do nothing on his own to save them. He wrote to the Governor, explaining how their conversation in Wellington had reformed him: 'koia au ka whakaaro ai ki te he kia whakamutua taku mahi pakeke ...' he wrote; 'e hiahia ana au kia Totaia kia noho tonu ki tona oneone ki [Mangaoraka] ...' (that's why I thought it was wrong, that I should abandon my opposition ... I wish Flight to stay on his land at Mangaoraka).⁷⁸ He wrote to McLean that he was doing his utmost to achieve Flight's peaceable possession; he reported the evil intentions of Te Huia and Te Tuke towards pakeha in general. Above all, he wanted to sell the land; he urged its purchase on both the Governor and McLean. Ngati Hinerauhua were derisive. How could Katatore sell Flight's land, asked Te Tuke, when he had no claim to it whatsoever? With the yawning abyss of another disputed sale opening at his feet, McLean hastily retreated, and told Flight that he should leave at once.⁷⁹ The Government might buy his land from Katatore, but they could never guarantee his occupation.

76. Bell to Wakefield, 15 April 1848, NZC 105/7, No. 9/48.

77. McLean to Colonial Secretary, 20 September 1848, MA/MLP/NP1, p.103.

78. Te Whaitere Katatore to Te Kawana (the Governor), 19 October 1848, McLean Papers, Folder 675.

79. McLean to Colonial Secretary, 24 October 1848, MA/MLP/NA1, p.108.

Katatore admitted only temporary defeat. In July 1851, Te Tuke led a Puketapu party on a visit to the South. While he was away, Tamati Waka got himself involved in a case of puremu, and was forced to withdraw from public life. With both his enemies out of the way, Katatore was free to canvass the support of Te Huia and his son Parata for the sale of the Mangaoraka.⁸⁰ First, though, the Bell Block must be finished. On 26 September, Katatore arrived in Town to ask for payment for himself and Te Huia, and to promise that the settlers might have the land at once. Te Huia's son came the same week, on the same mission. A few days later, a whole party of Puketapu turned up, and reiterated that a second Government payment for Mangati would settle matters.⁸¹ Poor Halse, knowing that King was unable to act without McLean's authority, was near the end of his tether: 'Had you been here' he wrote McLean in frustration', this block which has caused so much trouble & expense might have been taken possession of tomorrow ...'⁸²

But Katatore, too, was frustrated. Te Tuke got wind of his schemes, and wrote at once to Te Huia. He reminded him, apparently, of the large sum the absentees had collected for the Bell Block. They had received £120.

80. Brown to McLean, 3 June 1851, McLean Papers, Folder 180 (16); Halse to McLean, ibid., Folder 312; Halse to McLean, 21 August 1851, ibid.

81. Halse to McLean, 27 September 1851, ibid.; Halse to McLean, 29 September 1851, ibid.; Halse, 'Report from 28th September to 11th October 1851', ibid., Folder 126. Te Huia's party had been chiefly opposed to the settlement of the back part of the Bell Block, called Putatūtonga. They now proposed to withdraw their opposition in return for a second payment for Mangati, the (larger) front part. The Puketapu tended, however, to refer to the Block as a whole as Mangati.

82. Halse to McLean, 29 September 1851, ibid., Folder 312; Halse, 'Report from 14th to 27th of September 1851', ibid., Folder 126; Halse to McLean, 27 September 1851, ibid., Folder 312.

Was Te Huia really to be satisfied with £30? And he could sell Mangaoraka if he wished, but 'where will you have runs for your increasing herds?'⁸³ Against these powerful - if opportunist - arguments, Katatore was helpless. Within a month, the Puketapu dropped both sales.⁸⁴

Clearly, though, either Katatore or Te Huia's own people were losing patience with the delays. On 1 January 1852 - only a few days after the Puketapu had attended yet another inconclusive meeting in Town - Rawiri Waiaua of Ngati Huetu returned from a visit to New Plymouth to find that his father's horse Miriona had been killed at Hoewaka. At the time it was not uncommon for trespassing stock to be maimed by angry or vengeful landowners, both Maori and pakeha. But Miriona was no ordinary horse, and she was not merely disabled; she was killed with a spear.⁸⁵ Miriona had been part of the payment for the Bell Block - one of three horses which had been the greatest prizes of the deal. She was at the time in foal. She was, therefore, on the point of producing more payment for Mangati: more wealth for Ngati Huetu, and a further proof of Government recognition of their claim. At a time when Ngati Huetu's opponents were unable to get anything out of the Government, it was evidently too much for them.

The spearing of Miriona caused a sensation among the Puketapu. Ngati Huetu were very angry. They found the horse's blood in the road and followed it to a nearby field of wheat where the tracks of both horse and men were visible. The field belonged to Mitai, of Ngati Potakatanewa, and Ngati Huetu at once accused Mitai of the crime.⁸⁶ But the evidence was purely circumstantial, and Ngati Huetu knew they had no hope of a conviction

83. Quoted in Halse to McLean, 27 October 1851, *ibid.* The Ati Awa and Puketapu residents of the Kapiti coast and Arapawa executed a deed of sale of their claims on 15 August 1851.

84. *Ibid.*; Halse to McLean, 6 January 1857 [sic] *ibid.*, filed mistakenly in Folder 315.

85. Halse, [Report], 3 January 1852, *ibid.*, Folder 126; Halse to McLean, 5 January 1852, *ibid.*, Folder 312.

86. Rawiri Waiaua to Makarini (McLean), 10 January 1852, *ibid.*, Folder 679.

in the Court. Two years earlier, Ngati Te Whiti had accused a pakeha named Henwood of shooting a horse of theirs during the night. A shot had been fired from the direction of his house; blood had been found in his field, and footprints leading to and from his house. One of the witnesses giving evidence for the defence perjured himself, and his testimony was discounted. Though it was widely believed that Henwood was guilty, the case had been dismissed.⁸⁷ Ngati Huetu knew they would fare no better. But their pride demanded that the matter could not quietly be allowed to drop. They wanted satisfaction for the wrong done them. Under the guidance of Horoatua's son Rawiri Waiaua, they determined, therefore, to take utu. They asked first for land; Herora, chief of Ngati Potakatanewa, turned them down. They asked for payment in money; Te Tahana offered them £30. They demanded more; they wanted £50 - presumably to cover the loss of the foal. They were refused. Herora said his people would rather fight: 'ko ratou[hei]utu' (they themselves would be the satisfaction).⁸⁸ And then Ngati Huetu lost their temper and threatened to shoot it out; they would come and take the utu due them at gunpoint. The threat was taken seriously, and Ngati Huetu got their fifty pounds. It was paid ceremonially to their chief Rawiri on 12 April 1852.⁸⁹

But the payment was a triumph not for Rawiri, but for his opponents. They were derisive of him, and they publicised their derision as widely as

87. See Halse to McLean, 12 October, 16 October, and 26 October 1850, *ibid.*, Folder 125; Halse to McLean, 17 October 1850, *ibid.*, Folder 311.

88. Rawiri [Waiaua] to Hare [Halse], [2 January 1852], *ibid.*, Folder 679; Halse, [Report], 3 January 1852, *ibid.*, Folder 126; Rawiri Waiaua to Makarini, 10 January 1852, *ibid.*, Folder 679.

89. See Paora [Horoatua] and Rawiri [Waiaua] to Hone Ropiha, 3 January [1852], *ibid.*, Folder 714; Halse to McLean, 5 January 1852, *ibid.*, Folder 312; Halse to McLean, 12 April 1852, *ibid.*

they were able. Their most important letter denouncing him was addressed to 'the northern and southern tribes, Maori and pakeha leaders, Maori and pakeha assessors, Ministers, and the Governor', and they asked that it be released to the Press. Here, they said, was an Assessor, a salaried official of the Queen's Government, who had shown his utter contempt for the Law he was paid to uphold. No one, they reiterated, had seen how Miriona was killed. Yet Rawiri had falsely accused Mitai, had threatened to bring guns (and thus had defied the Scriptures as well!) and had invoked the Maori ritenga (custom) to demand utu indiscriminately from the relatives of the man he held responsible.⁹⁰

Rawiri's mana did not survive this blast. Though he wrote to the Governor and McLean to defend himself, though he returned the fifty pounds to Raniera and Parata Te Huia, he had compromised his position irretrievably.⁹¹ He had trampled on the ture, the Queen's law, and got away with it. Rawiri had been nervous of demotion; instead, not long afterwards, he got an increase in salary. The Government had too much money invested in him to be bothered with his misdeeds: to them, his pay represented an annual investment in a block of land. So Rawiri got his utu, and remained an assessor.⁹² But as a leader among the Puketapu, he was finished. His influence among them afterwards declined rapidly.⁹³

Rawiri's embarrassment - as perhaps the slayers of Miriona had hoped - led directly to the final settlement of the Bell Block. For Rawiri had

90. Tahana and others, open letter, 6 January 1852, ibid., Folder 679; see also [Parata tamaiti], statement, ibid., and Tahana and others to Makarini, 5 May 1852, ibid.

91. See Rawiri Waiaua to the Governor, 6 June 1852, Maori Letters, G 486, Vol. 271, Grey Collection, Auckland Public Library; Rawiri [Waiaua] to McLean, 6 June 1852, McLean Papers, Folder 669.

92. Rawiri headed the list of assessors for the New Plymouth district gazetted on 19 May 1852, when a number of new appointments were made. He and one other elder received the top salary of £50. New Zealand Government Gazette, Province of New Ulster, Vol. 5, No. 12. See also Halse to McLean, 22 May 1852, McLean Papers, Folder 312.

93. Ibid.

not been satisfied with a direct demand for utu. Deeply distressed by the insult he had suffered, he had lashed out against his opponents where they were most vulnerable. Towards the end of April the Puketapu were thrown into new excitement by Rawiri's attempt to dispute Parata Te Huia's claims to the land north of the Bell Block, on the Ikamoana. Insisting that part of the land was his, he tried to wring from Te Huia's people an agreement that neither party would use it. But Ngati Hinerauhuia refused to negotiate with him. They moved on to the disputed spot to cultivate it.⁹⁴ Then, fearful that Rawiri might forestall them again, they offered the land for sale.

On 5 June 1852 the elders went into Town to test the mettle of the new official, George Cooper.⁹⁵ They began, as always, with Putatutonga. At first, nothing seemed to have changed. They told Cooper bluntly that the thirty pounds reserved for them was not enough, and they would never take it. Then, suddenly, they spoke of the Ikamoana. The two deals were to be tied together: if they got a larger payment for the Bell, they would sell Ikamoana. Cooper, wary of a trap, suggested that Government follow the Puketapu example: the payment for Putatutonga would be increased, but only when negotiations for the Mangaoraka were well under way.⁹⁶ Not that he expected the negotiations to be easy. A few days earlier he had held a preliminary meeting, at which the Puketapu first gave him some idea of the sort of payment they wanted - an inventory of goods which staggered Cooper: cattle, horses, carts, threshing machines, indeed 'every conceivable article of farming implements ...'

94. Halse, 'Report from 25th April to 8th May inc., 1852', ibid., Folder 126.

95. G.S. Cooper, who had been Sir George Grey's secretary, was appointed Inspector of Police at New Plymouth on 31 May 1852.

96. G.S. Cooper to McLean, 7 June 1852, ibid., Folder 227(b); Cooper to the Civil Secretary, 7 June 1852, CS 52/64.

"[P]erhaps" Cooper said, "you would like a man of war as well - or shall I ask the Governor to send for a steamer".⁹⁷

But Ngati Hinerauhuia were determined on a settlement. To some extent, perhaps, they were influenced by Rawiri's pleas that the Bell Block be settled while the elderly chief Paora Horoatua was still alive.⁹⁸ But if they listened to Rawiri, it was because it suited them to do so. Te Tuke, home from the South, had quickly reasserted his influence with Te Huia. The two chiefs quarrelled with Katatore, and when Rawiri interfered with the Ikamoana, Te Tuke set about selling the land on his own account.⁹⁹ Putatutonga had ceased to be important. Te Huia wrote Cooper a final defiant blast, informing him that after he was paid for Putatutonga he would never deal with Government again. In future he would treat directly with European buyers - notably with Richard Brown, who would give him £1 10s for fern land and £2 10s for bush. 'What is then the good of the Governor's payment 5/- and half a crown per acre[,] this is bad, therefore let his purchasing of land be put a stop to.'¹⁰⁰ And having made it clear that he scorned the Government and its measly offer - that he could, if he had wished, have held out for a much larger payment - he and Te Tuke and Katatore took the thirty pounds. The deed was signed on 29 June 1852, and the surveyors were on the ground within a month. Ngati Huetu, grateful to have been rescued from their embarrassment, comforted themselves with the thought that 'it was us who sold the land to the Europeans & afterwards received the first payment of that land at Mangati ...'¹⁰¹

97. Cooper to McLean, 21 June 1852, McLean Papers, Folder 227 (7).

98. Rawiri [Waiaua] to McLean, 6 June 1852, ibid., Folder 669.

99. McLean to the Civil Secretary, 5 August 1852, MA/MLP/NP1, p.143.

100. Parata Te Huia to Cooper, [24] June 1852, McLean Papers, Folder 669 (9). Cooper wrote a careful reply to these charges.

101. Hare Purumera to the Governor, 4 July 1852, Maori Letters, G 519, Vol. 271, Grey Collection, Auckland Public Library (my underlining). The first selections of land in the Bell Block were finally made on 10 January 1853.

When the excitement of the sale was over, the Mangaoraka proposal still stood. Te Tuke, Te Huia and Parata offered it together, and pressed Cooper for his reply.¹⁰² Cooper, who thought Katatore's agreement was essential, was highly suspicious of his exclusion from the party. But McLean, who arrived in Town early in August, was obviously hopeful of a sale. He wrote to the Civil Secretary for more money to be sent - £300 in silver - and he drew up a plan reserving to the sellers all the land between the Mangaoraka and Waiongana rivers. In fact he had decided to repeat the Bell Block procedure - this time deliberately. He would buy from those who wished to sell, and refrain from completing the purchase until the remaining claimants agreed to take their payment.¹⁰³

McLean left New Plymouth at the beginning of September. But just before he went he had a new offer of land at Araheke, on the north bank of the Waiwakaiho River. It was only a small piece of about a thousand acres, but McLean hoped it would lead to a bigger offer, and he accepted it, and made two payments. On 30 August a group of Ngati Tawhirikura and Ngati Te Whiti received £25.¹⁰⁴ The following day, a second payment of £20 was made secretly to their opponents Ngati Tuparikino. This was an underhand way of transacting a purchase which was quite new, and it was not surprising that Ngati Te Whiti, when they found out, were furious. Poharama led the attack, accusing the Ngati Tuparikino elder Karira of stealing his land. The moment Cooper returned from his southern journey with McLean, he stormed into his office, demanding to rub out

102. See, for instance, Parata Paritutu and Parata Te Huia to the Governor, 19 July 1852, Maori Letters, G 395, Vol. 271, Grey Collection, Auckland Public Library.

103. McLean to the Civil Secretary, 5 August and 9 August 1852, MA/MLP/NP1, pp.143, 146. See also Flight to McLean, 31 July 1852, CS 52/99; McLean to Grey, 18 August 1852, McLean Papers, Folder 4 (8).

104. Taranaki Herald, 8 September 1852. See also 'Deed Receipts', Nos. 8 and 9, [Turton], Maori Deeds, Vol. 2, pp.87-89.

the Ngati Tuparikino boundary at Araheke on the map, threatening to tear up the map, insisting that the Ngati Tuparikino payment be, as he put it, transferred to the other side - the inland side - of the Waiwakaiho River, to come to rest on land where it belonged.¹⁰⁵

Karira, unabashed, went ahead with the support of the Hua elders Raniera and Matiu and offered the large block McLean had hoped for: Mangorei, running inland from the flagstaff (pou) on the north bank of the Waiwakaiho to the base of Taranaki (Mt Egmont), and back behind the Grey Block to its southern boundary. It was fifty or sixty thousand acres - most of it well inland of the settlement, admittedly, and unlikely, Cooper thought, to be of immediate use to the settlers; but it might be followed by something better!¹⁰⁶ Ngati Tuparikino were triumphant: '[M]angorei has been given up by Karira, Metiria, [Hohua] and Raniera and Te Waka into your hands and the Governor's ...' they wrote to McLean; 'Poharama is saying that he will retain the land, but the tokomaha [majority] have agreed to Karira's plan'.¹⁰⁷

At first Poharama seemed to have agreed to the sale. Then he burst in on Cooper one evening, demanding instant payment, and was furious when it was not forthcoming. "Let me see the money at once - I care not how much or how little it is, but let me have it tonight."¹⁰⁸ Clearly, he was distressed at the way Ngati Tuparikino - though they were entitled to payment - had taken over a sale which should properly have been made on his initiative. But in the end, he saw a way out of his dilemma. The Puketapu

105. Cooper to McLean, 12 September 1852, McLean Papers, Folder 227 (8).

106. Ibid. The carved Puketapu pou stood just north of the spot where the Devon Road crosses the Waiwakaiho River.

107. Hone Ropiha to Te Kawana (the Governor), 13 September 1852, ibid., Folder 679.

108. Cooper to McLean, 12 September 1852, ibid., Folder 227 (8).

wished to sell the coastal land north of the Waiwakaiho River, as far north as Pukahu, at the Hua. But they wanted the inland block settled first. Poharama, in a spirit of pure revenge, refused to consider the two blocks separately. Perhaps, he admitted, he had no right at the Hua; but he meant to exact compensation from Ngati Tuparikino for their interference with his Araheke land. Soon the two parties were deadlocked: Ngati Te Whiti were ready to sell all the Waiwakaiho and Hua land in a piece, from the coast to Mount Egmont; the Puketapu refused to consider the coastal sale before they had been paid for the inland block (Mangorei).¹⁰⁹

In June 1853 matters came to a head. Two policemen arrived from Auckland with the money which Cooper had been begging for for months. With £500 in his pocket, he thought - for a brief and glorious moment - that he had the upper hand. Parata Te Huia had died on 22 September 1852, without receiving Government payment for Mangaoraka and, it was said, because he had not received his payment. Te Tuke, seizing his opportunity, reiterated that Mangaoraka would be given as utu for Te Huia's death, as satisfaction for the intransigence of those who had allowed him to die with his business incomplete and his claims unrecognised.¹¹⁰ Cooper, in his turn, threatened that unless all the Puketapu agreed to the sale, he would give his money for Waiwakaiho. But such a simple scheme was doomed to failure. It was ruined at once by Raniera of the Hua who - fearful that

109. See for instance, Poharama Te Whiti to the Governor, 18 December 1852, Maori Letters, G 407, Vol. 270, Grey Collection, Auckland Public Library; Poharama Te Whiti to Makarini, 9 November 1852, *ibid.*, Folder 679; Cooper to McLean, 11 November 1852, *ibid.*, Folder 227 (10). Correspondence from both parties to the dispute may be found in the McLean Papers, Folder 679.

110. See Rawiri Waiaua's accusation against Te Tuke: Rawiri Waiaua to the Governor, 23 October 1852, Maori Letters, G 400, Vol. 270, Grey Collection, Auckland Public Library. Parata's son wrote to McLean offering both Mangaoraka and Waiongana as utu for Te Huia, on 24 October 1852 (McLean Papers, Folder 679).

Poharama would somehow get his hands on the payment - agreed that the money must be for Te Tuke's reo (pronouncement), to pay for Te Huia's death: 'the money must be considered tapu for Mangoraka & that alone, & that nothing could be done about Waiwakaiho until the other was disposed of.'¹¹¹

Iharaira himself further confused the issue. Suddenly he objected to McLean's plan of reserves. He wanted to sell the Waiongana himself - to have his claims properly recognised. If the Government merely reserved the land, after all, nobody would be paid for it. Worse, he would find himself trapped on the reserved land with an embittered Katatore, and the prospect of Katatore's systematic retaliation was one he did not greatly relish. McLean's scheme, he told Cooper, would never work; there would have to be reserves on the south side of the Mangaoraka. And he offered for sale all the land between the northern Bell Block boundary and the Waiongana River, following the Mangaoraka and Waiongana Rivers to their respective sources. Here at last was the land the settlers had been waiting for: most of the remaining fern land north of the Town. It was a sensational offer; and one so careless of other Puketapu rights - both at Ikamoana and Tarurutangi - that it actually succeeded in uniting Katatore and Ngati Huetu in opposition. Katatore, whose claims were included in the block, refused to have anything to do with the sale, and threatened death to anyone who cut a boundary; Ngati Huetu, whose land was also included, joined him.¹¹²

Cooper, meanwhile, in a terrible state of nervous tension, suffered headaches and feverish attacks. Ever since his arrival in New Plymouth, he had been waiting for this chance: the chance to make a big purchase for

111. Cooper to McLean, 19 June 1853, ibid., Folder 227 (13).

112. Ibid.

the settlement, and to save himself from obscurity and a miserable salary. The strain on him at this time was enormous. How should he spend his £500? Whom could he least afford to offend? Should he pay Poharama, and thus risk upsetting Raniera and losing the Hua and Waiwakaiho blocks together? Would he lose Po's Waiwakaiho if he paid Raniera or Te Tuke? If he paid Te Tuke would it be money wasted on another piece of useless land? In desperation he tried to avoid the decision by raising a personal loan locally to cover both deposits - but was turned down because he could offer no security.¹¹³

In the event, Cooper's instinct did not let him down. He plumped for the Mangaoraka. Paora Horoatua had died in the same month as Parata Te Huia, and Ngati Huetu were not a strong party. If pressed, they would probably have left Katatore to his own devices and merely held out for a payment of their own. Katatore was the only formidable opponent of the sale. But his opposition had only ever counted when he had the backing of his elders; when they were against him, he could do nothing. With the additional support of the Hua people - for Raniera agreed, in the end, to withdraw his opposition to the Pukahu boundary - Iharaira Te Tuke was strong enough to have pushed the sale through.¹¹⁴

Why, then, when Cooper made his payment on 24 August 1853, did he buy the Waiwakaiho land? For the Settlement, and therefore for the Ati Awa, it was to prove a terrible mistake. But the mistake was not Cooper's - it was Donald McLean's. For years, McLean had guarded his reputation as the only man able to deal with the Ati Awa. He had refused to delegate responsibility

113. Ibid.

114. Ibid. See also Halse to McLean, 24 November 1850, ibid., Folder 311.

to his subordinates, had tied their hands during his long absences from New Plymouth when they might otherwise have gained the initiative in negotiations. And at the crucial moment, when Cooper - a man whom McLean should have admitted had a better local knowledge than himself - was poised to take such an important decision, McLean could not prevent himself from intervening. At the beginning of August, at Wellington, he paid the absentee claimants a deposit of £400 for all the Waiwakaiho land from Pukahu on the coast to Taranaki (Mt Egmont) inland.¹¹⁵

In the short term, the Ati Awa themselves did rather well out of McLean's purchase. Raniera overcame his first terrible anger at McLean's manoeuvrings, and agreed to join with Poharama in the sale of Waiwakaiho and Mangorei as one block. They signed the deed on 24 August. But for days afterwards they argued about the conditions of sale. McLean had made substantial concessions to secure absentee agreement to the sale, and the tangata whenua would accept nothing less. They refused reserves of 1,100 acres - slightly more than had already been granted the absentees. They refused point blank to accept payment by instalment over three years. In the end Cooper was forced to give them £1200 as a lump sum.¹¹⁶ They were, in fact, so insistent on the point that it is difficult to believe that they were not privy to other, deeper, intrigues.

The arch-schemer was in fact Te Puni. Te Puni had opposed the sale of Waiwakaiho - his own ancestral land - from the start. Poharama's interference in the negotiations, which irritated him intensely, was the final straw.¹¹⁷ He would not be a mere participant in a sale of Ngati

115. Taranaki Herald, 10 August 1853; Cooper to McLean, 29 August 1853, ibid., Folder 227 (14). A copy of the deed, dated 24 August 1853, may be found in the McLean Papers, Folder 4.

116. Cooper to McLean, 29 August 1853, ibid., Folder 227 (14). See also Taranaki Herald, 28 February 1855.

117. See Johnson Te Puni to the Governor, 12 October 1852 and correspondence of McLean and Grey attached, McLean Papers, Folder 669; McLean to the Civil Secretary, 22 February 1853, CS 53/114.

Tawhirikura land managed by a man of no status, whose claims he did not admit. His only supporters in the South, however, were his own immediate relatives. Outnumbered, he gave in finally, gracefully, wearily to McLean's importunities, and took his payment. But it was to be many years before the settlers took possession of the land. Te Puni sent his son Henere Te Whare - who had not signed the deed of sale - to hold Waiwakaiho for Ngati Tawhirikura. At first Cooper assumed that Te Whare would capitulate and take the share of the payment which had been kept back for him. But Te Whare, charming and genial to the last, refused all offers of payment and additional reserves. He build his new pa Kateremoana on Cooke's farm, and gathered about him a party of some thirty followers whose cultivations, in time, spread over some 500 acres on both sides of the Devon Line.¹¹⁸

Te Puni and his son, in short, had learned how to manage pakeha. The 'loyalty' of Te Puni, the grand old man of Wellington, had been established beyond any suspicion. King might call him a hypocrite in private, but he dare not say it aloud.¹¹⁹ Te Whare's public relations were so successful that for five years before the war he was able to prevent the settlement of a block of fern land, close to Town, which the settlers coveted and for which the Government had paid a large sum. He was still there when war broke out in 1860; he assisted the Government during the war and returned to his land afterwards. The dispute was not settled till 1867, when Te Whare finally accepted a reserve of 435 acres.¹²⁰

118. Cooper to Halse, 29 August 1853, McLean Papers, Folder 227 (14); [Cooper to McLean], 16 May 1854, ibid., (22).

119. King to McLean, 26 May 1851, ibid., Folder 374 (49). William Halse, too, referred to Te Puni's 'double dealing Letter to his son ...'; W. Halse to McLean, 18 April 1854, ibid., Folder 318.

120. Robert Parris to the Chief Commissioner, 6 June 1861, AJHR 1861 C No. 1, No. 97, p.244. See also evidence of Robert Parris, 7 June 1887. MLC, Taranaki Bk.3, Reserve A, Puia, Sec. 159, Hua District, pp.293-294. The settlers were highly critical of the purchase; an investigating committee of the Provincial Council described it in 1855 as 'worse than useless to this Province'. Taranaki Herald, 28 February 1855.

Nor did the settlers get any immediate joy of the Hua Block. Donald McLean returned to New Plymouth amidst public rejoicing early in February 1854. The settlers - still hoping for all the land between Waiwakaiho and Mangati - were ostentatiously self-effacing. The Provincial Council agreed to assist the Commissioner in his 'delicate task' by placing the Council Chambers at his disposal during his stay. They sponsored a public dinner at which a number of the Ati Awa chiefs were entertained, and many fatuous speeches were traded. For a month McLean laboured at his task, going out among the villages, holding large meetings in Town.¹²¹ But the Puketapu drove a hard bargain. The deed was executed on 3 March 1854, with Raniera Te Ngaere, his brother Matiu, Te Tahana and Rawiri Waiaua signing first. There were to be several reserves, amounting in all to 250 acres. The price was three thousand pounds, of which two thousand were paid at once. And the remaining thousand pounds were to be spent by the sellers on the repurchase of sections for themselves. At ten shillings an acre this entitled them to two thousand acres, which was to be Crown granted to individuals. They had first pick of the land, and chose most of the best of it; and they set aside another thousand pounds of the payment to compete on the open market when the block was opened for selection. They squabbled endlessly and joyously over the allocation of the Crown grants among themselves, dealing with the details at their own leisurely pace.¹²² And the outbreak of fighting among the Puketapu soon afterwards held up the survey for two more years.

121. Taranaki Herald, 8 February, 8 March and 15 March 1854.

122. Robert Parris to the Chief Commissioner, 6 June 1861, AJHR, 1861 C No. 1, No. 97, p.244; Cooper, General Report to Colonial Secretary (Draft), 29 April 1854, McLean Papers, Folder 126; [Cooper to McLean], 16 May 1854, ibid., Folder 227 (22). The two blocks together comprising 31,000 acres cost the Government £5745.

CHAPTER 9

IHAIA'S UTU

Ngati Tu were a small Puketapu hapu who lived at Waiongana. They had seen the land they claimed offered for sale by Te Tuke, and planned by McLean as a reserve for the occupation of half Puketapu. In March 1854, they were mere onlookers at the sale of the Hua. They were neither consulted, nor offered a share in the payment. Ngati Tu patience was finally exhausted. Irritated by their exclusion from the Hua negotiations, they determined to exact utu. On 23 March, the morning after McLean's departure from New Plymouth, the Ngati Tu elders - Hamarama, Aperahama, Raharuhi, Te Watarauhi - came into town to offer the land between the Mangaoraka and Waiongana rivers, running inland in a long strip to Taranaki mountain. It was, they made it clear to their relatives, a deliberately provocative offer - a tangi moni (mourning money) for the Hua.¹ By undermining Te Tuke's proposed sale - which had included Waiongana land - they meant to throw the Puketapu into confusion.

Poor Cooper, taken completely by surprise, had no idea how to deal with Ngati Tu. He was loath to discourage new sellers, loath to offend Te Tuke; uncertain whether he need persevere with Te Tuke at all. For there were hopes, now, of land in another direction. Katatore had taken advantage of McLean's visit to do his own business with the land purchase department. He opened clandestine negotiations with McLean, and on 7 March - still in secret - took receipt of a large Government payment of £100.² Ostensibly, the money was for all the claims of his people north

1. Cooper to McLean, 23 March 1854, McLean Papers, Folder 227 (8).

2. The deed is printed in [Turton], Maori Deeds, Vol. 2, pp.90-91.

of the Waiwakaiho River, within the boundaries of the land already sold by the Puketapu. But at that price, it is clear he must have agreed with McLean to work for the sale of further land.³

Cooper, meanwhile, dithered and procrastinated, while almost every Puketapu elder came to offer him advice. Katatore - anxious not to be upstaged - was fiercely opposed to the sale, and allied himself with an elder from Mahoetahi named Mahau, whose claims at the confluence of the two rivers were so well established that Ngati Tu had excluded a piece of land there from their boundary. Katatore and Mahau confronted Cooper together, amicably threatening a fight if any payment were made. Everyone else, however, thought it a splendid opportunity for putting down Te Tuke and Katatore simultaneously. Rawiri Waiaua, who had not forgiven Te Tuke for riding roughshod over Ngati Huetu claims, was especially grateful for the opportunity of retaliation. Abandoning his alliance with Katatore, he urged Cooper to pay Ngati Tu. Gravely he explained that 'all former offers of land thereabouts were moonshine & he never agreed to them ... but this time it is Waiongana itself which comes in, the very kouras & eels crawling out of the river, & therefore he advised [Cooper] strongly to make a payment.'⁴

Who, besides, need listen to Katatore? For the secret of his hundred pounds was out - leaked, one suspects, by Cooper, in the hope of forcing Katatore to offer the Mangaoraka at once - and the Puketapu were determined to make him pay for it. Katatore, like Rawiri before him, found himself backed into a corner. If he was prepared to take Government money, he

3. The wording of the deed is ambiguous. It is possible that Katatore was paid not only for his claims in the Hua and Waiwakaiho blocks, but also for those within the boundaries named in a further deed executed by the absentee on January 16 1854. (See *ibid.*, pp.24-25.) This second deed extinguished absentee claims from Waiwakaiho to the Hua, and also to the land behind the Bell Block called Tarurutangi.

4. Cooper to McLean, 23 March 1854, McLean Papers, Folder 227 (18).

must be prepared to be seen to support the Government. He could not refuse to take payment for Waiongana, the elders told Cooper gleefully, because his word had become noa (common; no longer carried weight).⁵

Ngati Tu and their allies, in any case, enjoyed a partial success. After a great deal of fast talking, Cooper was pressured into agreeing to their price of a thousand pounds, and to making an immediate deposit of a hundred pounds. On 25 March he paid Ngati Tu their money; they handed it back for him to keep until the dispute was over. But their claims had been recognised first, before Te Tuke's and they went home elated. Cooper, for his part, prepared to sit it out until the opposition weakened.⁶

The winter passed, and nothing more was heard of Waiongana. Then, without warning, a new dispute erupted at Waitaha. Its origins remain obscure. It seems, however, that Katatore did embark on the sale he had promised McLean.⁷ He began in a small way, with Tarurutangi - a block of about three hundred acres between the inland Bell Block boundary and the Mangaoraka River. But it was to be a bona fide sale, a cooperative venture among the claimants which would benefit the Settlement immediately. Katatore had had the moral triumph of his own private payment from the Government; in return, he was prepared to allow Rawiri Waiaua to make the sale of the land. "I offered the land to Rawiri" he explained later, "that he might go and get the money for it ..."⁸

5. Ibid.; Cooper to McLean, 3 April 1854, ibid. (20).

6. Ibid.; Cooper to McLean, 23 March 1854, ibid. (18). McLean was very anxious that Cooper bring off the sale, which he saw as the key to ending the 'Puketapu difficulties'. Clearly he was counting on Katatore to bring forward the remaining Puketapu land. See McLean to Cooper, 27 March 1854, ibid. (18A).

7. For an Ati Awa account of the origins of the dispute, see Arama Karaka and Tikiku to Tamati [Hone], 13 May 1855, Gilbert Mair Papers, 23 (5), Alexander Turnbull Library. Karaka states that there had been two meetings with Cooper about the proposed sale.

8. Irish University Press Series of British Parliamentary Papers. Colonies New Zealand (Shannon, 1969), Vol. 10; 'Select Committee Report Correspondence and Papers Relating to the Government of New Zealand the New Zealand Company Loan and Other Affairs of the Colony 1854-60', (1860 [2719] 46), 'Further Papers relative to the Affairs of New Zealand ...' (Hereafter 'Papers relative to New Zealand, 1860'), Encl. 1 in No. 50, p.104 (378).

Even so, the path to Cooper's office was not a smooth one. Rawiri resented Katatore's payment, and his concessions. And he seized the opportunity to impose his own conditions on the sale. Katatore wished to keep the land on the inland side of the Mangaoraka River; Rawiri saw that he could add it to the sale. Katatore (hoping to restrain him) urged that the land be tapu to Rawiri and his father Horoatua; Rawiri would not be flattered into acquiescence.⁹ But when the inevitable row broke out, it was not Katatore who started it, but one of his people named Topiha.

Topiha was completely opposed to both the sales. He had a long-standing dispute with Rawiri about planting rights to a certain piece of land, and in his anger at Rawiri's persistence with Tarurutangi he took up the quarrel with renewed vigour. That season Rawiri had planted wheat on the disputed ground. Topiha burnt his crop, and planted his own potatoes in its place. Rawiri's retaliation was swift and comprehensive. Without consulting Katatore, he went immediately to Cooper and offered for sale the entire Tarurutangi block. Emboldened by his success with Waiongana, Cooper agreed to buy the land on one condition: Rawiri must give evidence of his ability to conclude the sale by cutting the eastern boundary lines. They agreed to meet on the ground on the morning of 3 August 1854.¹⁰

Katatore was appalled by the news of Rawiri's unilateral offer. At once he sent a message to Rawiri, warning him that his boundary must not cross the Mangaoraka River. Rawiri ignored him. Then, as Katatore related it afterwards, he 'made up [his] mind for death, I then took the gun and

9. Arama Karaka and Tikiku to Tamati [Hone], 13 May 1855, Gilbert Mair Papers, 23 (5).

10. Ibid. See also Irish University Press Series of British Parliamentary Papers. Colonies New Zealand (Shannon, 1971), Vol. 11; 'Correspondence and Other Papers Relating to New Zealand 1860', (1860 [2747] 47), 'Further Papers relative to the Affairs of New Zealand' (Hereafter 'Further Papers relative to New Zealand, July 1860'), Encl. 1 in No. 24, Cooper to McLean, 8 August 1854, pp.41-42 (279-280).

spear which I gave to Karipa [his messenger] for Rawiri to shoot me with.¹¹ Karipa went to carry this second warning to Rawiri. Next morning Katatore's party, twenty-eight strong, went out to intercept Rawiri on his way to Mangaoraka. At 8 o'clock Rawiri arrived with twenty-five men. Katatore gave him one last warning. Brandishing his gun above his head, he fired one barrel into the air and one into the ground. But Rawiri's people, armed with spears, tomahawks and hatchets, rushed them. As they closed, Katatore's men fired. The battle was quickly over. It left four men dead, and twelve injured. Rawiri and his brother Paora were mortally wounded, and both died soon afterwards.¹²

The fighting was a miserable, unexpected end to a series of often amicably conducted rows. The next day Katatore, filled with remorse, was reported to have considered hanging himself. But why had he persisted? It was said that Katatore had been shamed because of his hundred pounds; that he was talked of with derision at the great Ngati Ruanui meeting held two months previously, where it had been decided that no more Taranaki land should be sold.¹³ But Katatore had never been one to take much notice of Ngati Ruanui. In 1851, when they first wrote to the Ati Awa chiefs for support in their plan of holding the land, he had written back himself to tell them to mind their own business.¹⁴

11. Ibid., Sub-Encl. 5 in Encl. 1 in No. 24, Waitere to the Governor, 7 August 1854, pp.44-45 (282-283).

12. Ibid.; see also Sub-Encl. 2 in Encl. 1 in No. 24, Statement of Hohaia and others, 6 August 1854, pp.43-44 (281-282), and Sub-Encl. 6 in Encl. 1 in No. 24, Memorandum of statements made by Katatore ..., 5 August 1854, p.45 (283).

13. Arama Karaka and Tikiku to Tamati [Hone], 13 May 1855, Gilbert Mair Papers, 23 (5). The reference was to the meeting held at Manawapou, South Taranaki, in the first part of May 1854. It was largely a Ngati Ruanui affair, though Whanganui and Ati Awa representatives were present, and Ngati Ruanui decided to retain all their land between Kurukuru and Kai Iwi.

14. See Hori Kingi Te Rei to Iharaia and others, 20 October 1851, McLean Papers, Folder 669 (3), and Te Waitere Katatore to Hori Te Pakeke and others, 2 November 1851, ibid. Ngati Ruanui were objecting at the time to the new flagstaff erected at New Plymouth.

It is moreover clear that Katatore had taken McLean's money with a view to meeting the obligations it imposed on him. He was preparing to sell land. He had taken a crucial step towards recognition of the Queen's jurisdiction. In May, there had been a scuffle in his pa, when one of his relatives attacked another named Hiriwanu - accusing him of adultery with his wife. Hiriwanu lashed out, and mortally injured his accuser. Katatore, on the point of allowing the guilty man to be killed in revenge, suddenly restrained his people. Hiriwanu was handed over instead to the Government for trial.¹⁵ Cooper wrote a glowing report of Katatore's cooperation and moderation; soon he was being recommended as an assessor.¹⁶ Katatore had come so close to achieving his ambition: a position of authority, and the respect of both races. But in the end, it was more important to him that Rawiri did not interfere with his land.

It is of course possible that Katatore never thought he would have to use his arms, that he gambled on Rawiri's capitulation before a determined taua. But Rawiri himself seems to have been bent on confrontation; he knew before he ever began, how fiercely Katatore would oppose him. The death of Te Huia's son in June may have strengthened his resolution. Parata had died without the utu he wanted for his father's untimely death. There was talk of the land, too, as utu for Horoatua's death - as if the two old chiefs together required the sale as satisfaction for their quarrels.¹⁷ Rawiri Waiaua, old and unwell, and near the end of his life, decided perhaps that he was the proper person to offer that utu.¹⁸ He had never recovered

15. [Cooper to McLean], 16 May 1854, McLean Papers, Folder 227 (22).

16. H. Halse to McLean, 6 July 1854, ibid., Folder 313.

17. See BPP, 'Further Papers relative to New Zealand, July 1860', Sub-Encl. 2 in Encl. 1 in No. 24, Statement of Hohaia and others, 6 August 1854, p.43 (281). See also ibid., 'Papers relative to New Zealand, 1860', Encl. 1 in No. 50, 'Native Feud at Taranaki', speech of [Tamati] Wiremu, p.106 (380).

18. See, for instance, Halse's description of Rawiri, shortly before the fight: H. Halse to McLean, 6 July 1854, McLean Papers, Folder 313.

from his humiliation over Miriona, and he suffered again as he fought Raniera unsuccessfully for Crown-granted sections for his family in the Hua repurchase.¹⁹ He knew that if he died before Tarurutangi was settled there was no one among his people strong enough to oppose Katatore, and that Katatore would sell the land himself. Rawiri seems, in fact, to have concluded that it was not too great a sacrifice to shed his blood on the land, and thus to rescue it from Katatore's clutches. All the dead were buried where they fell. Rawiri, who died in New Plymouth hospital, had insisted - as the final, indisputable notice of his claim to Tarurutangi - that his body be taken back for burial beside those of his companions.²⁰

Rawiri died, then, a martyr. He was popular among the settlers, and he was buried beneath the plaid of the 42nd Regiment, supplied by one among his settler friends who genuinely mourned his loss.²¹ He had died, moreover, in an attempt to sell land, and he had died - the settlers told themselves - in a very cowardly attack. They shrugged aside the fact that Rawiri's people had been armed and had made the first attack. Rawiri they said, had had no guns; he had been shot down in cold blood. When, immediately after the fighting, Katatore defied the tapu and offered the small 300-acre Tarurutangi block for sale, Cooper had not the gall to accept. Katatore was a blackguard, a villain, a social outcast.²² Every settler prejudice

19. Cooper to McLean, 29 May 1854, ibid., Folder 227 (23).

20. Josiah Flight to McLean, 5 August 1854, ibid., Folder 276 (13). It was probably to avert the danger of bloodshed on the land inland of Mangaoraka that Katatore's party intercepted Rawiri on the other side of the river, on land of which the sale was not in fact disputed.

21. P. Wilson to McLean, 6 August 1854, ibid., Folder 649 (1), 1847-54.

22. Cooper to McLean, 8 August 1854, ibid., Folder 227 (28); H. Halse to McLean, 9 August 1854, ibid., Folder 313.

against him was confirmed. He was a man who hated pakeha, who had joined the Anti-Land-Selling League, who was prepared to kill to stop the sale of land. Katatore's enemies among the Ati Awa enthusiastically embellished the settler interpretation, and he was left without a leg to stand on.

Tension among the Puketapu themselves at first ran very high. Katatore had threatened to fire on anyone who tried to bury Rawiri at Tarurutangi; a large Puketapu contingent went under arms to protect the funeral procession. There was talk of selling the whole Mangaoraka - over Katatore's head - as payment for the tupapaku. Both parties remained in their pa under arms, and renewed fighting seemed imminent.²³ But in mid-August the measles reached New Plymouth, and sickness was soon general.²⁴ When it was over, the Puketapu had had time to reflect. Rawiri's party sent for reinforcements from the south - notably for a new leader - and while they waited the combatants circled each other warily - anxious not to lose face, terrified of stumbling into another battle.²⁵

It was during this time, towards the end of November 1854, that the Otaraua chief Ihaia Te Kirikumara was informed that his wife Hariata had taken a lover. On 26 November she was found reading a letter from a Ngati Ruanui lad named Rimene who was then living at Waitara, and Ihaia was at once informed. Hariata, when questioned, not only admitted the charge, but added that she had been enjoying herself for some time past. Ihaia

23. BPP, 'Further Papers relative to New Zealand, July 1860', Encl. 1 in No. 24, Cooper to McLean, 8 August 1854, p.42 (280).

24. [Cooper to McLean], 24 August 1854, McLean Papers, Folder 227 (30). This was the epidemic in which there was high mortality throughout the North Island.

25. See, for instance, Cooper to McLean, 2 November 1854, ibid., (31); J. Rogan to McLean, 21 November 1854, ibid., Folder 540; H. Halse to McLean, 25 November 1854, ibid., Folder 313. There was a general feeling among Rawiri's pakeha friends that Rawiri's people might have gone about avenging his death with a great deal more vigour!

took ten of his people, went straight to the house where Rimene was staying and demanded that he be given up. His hosts refused, but Rimene himself incautiously pushed his way forward. Ihaia strode towards him and fired one barrel of his gun into the air, and one into the ground; then one of his relatives shot Rimene dead.²⁶

The settlers wrote the incident off as a sign of the times, a typical lawless act of an increasingly troublesome people.²⁷ But the Waitara people had been holding aloof from the Puketapu skirmishing. Puremu, moreover, was a common occurrence among the Ati Awa, and could hardly be counted a capital offence. The male population, in that event, would soon have been wiped out! A man was subject to murū, or was expected to offer utu; his life was not at stake. Hariata, in any case, had something of a reputation, and there were doubts that Rimene's guilt had been established. And Ihaia, as an assessor, was under a particular obligation to have taken the case to Court.²⁸ Instead, he went home at once to begin fortifying his pa Kariponia on the south bank of the Waitara - with a double fence, a trench and an embankment. He threw up two other fortifications nearby, and laid in stocks of flour for a siege. He refused to allow any official investigation of the case. "I told you before I would not be questioned at all in the matter", he shot at the Wesleyan teacher Thomas Skinner, "nor will I now - I do not care to adjust the matter with the Ngatiruanui's ..."²⁹ Nor, he

26. H. Halse to McLean, 2 December 1854, ibid.; Thomas Skinner to H. Turton, 22 December 1854, quoted in Flight to McLean, 23 December 1854, ibid., Folder 276 (14).

27. See, for instance, H. Halse to McLean, 9 December 1854, ibid., Folder 313.

28. H. Halse to McLean, 2 December 1854, ibid. See also W. Halse to McLean, 23 December 1854, ibid., Folder 318.

29. Skinner to H. Halse, 15 December 1854, ibid., Folder 313.

added, would he let them into his pa, to question either himself or his wife. It is in short difficult to resist the conclusion that Ihaia deliberately killed Rimene, on what may have been a trumped-up charge, in order to involve Ngati Ruanui in the Ati Awa disputes. The question is, of course, what he hoped to gain by it.

The Otaraua hapu of Waitara had been trying to sell land there almost from the time the settlement was founded. From the beginning, too, the offer was disputed by Ngati Kura, and McLean had therefore not pursued it. The land was offered in 1844, soon after his arrival. It was offered in 1847, during Governor Grey's visit to New Plymouth.³⁰ And when McLean was sent south to Waikanae to try and prevent Kingi's heke from leaving, Ihaia went with him to seek the support of his cousin, the Otaraua chief Eruini Te Tupe. Te Tupe - who intended to stay in the south - obligingly pressed McLean to agree to the Waitara sale before the return of the heke should complicate matters.³¹

Waitara was offered again in 1850, and in 1853.³² 'You and the pakeha know how anxious myself and Tamati are that the land should be sold to the Governor, and paid for', Ihaia wrote to two settler friends in 1853, 'but he is not agreeable to buy it. Many years have we both been anxious that Waitara should be paid for, but the Governor has not consented.'³³ After the sale of the Hua in 1854, Ihaia tried again. He wished, he wrote Cooper, to sell his land under the new repurchase scheme. Cooper replied that,

30. 'Taranaki Land claims', McLean, Letterbook, 1846-7 (58).

31. McLean to the Lieutenant Governor, 6 April 1848, MA/MLP/NP1, pp.94-96.

32. W. Halse to William Fox, 21 March 1850, NZC 105/9, No. 22/50; Taranaki Herald, 16 February 1853. The 1850 offer was made to Governor Grey, then on his third visit to New Plymouth; Grey himself, given Ngati Kura opposition, did not feel able to accept. He did, however, make Ihaia some presents. Kingi's people, afraid that they might be counted as payment for the land, destroyed them.

33. Ihaia to Watt and Hulke, 11 February [1853], quoted ibid. Tamati Tiraurau was Ihaia's brother.

if Ihaia could cut the boundaries, this time he would accept. Ihaia, fearful of failure, appears to have shrunk from the attempt. As he hesitated, fighting broke out among the Puketapu, and Ihaia's hopes of forcing his disputed sale on the Government were shattered. The alleged adultery of his wife, in short, was a godsend. Ihaia seized on the insult he had sustained to strengthen his claim to sell Waitara. The death of Rimene was not enough; he wanted the land as well, and the satisfaction of finally avenging himself on Ngati Kura by taking payment for it.³⁴

Ngati Ruanui, led by their chief Tamati Hone, arrived in Ati Awa territory on 15 December 1854 and laid siege to Kariponia pa. They were some three hundred strong, armed with guns, tomahawks and flax shields. They believed that Rimene had been murdered, rather than punished, and they were determined to avenge his death by capturing or killing Ihaia.³⁵ Thomas Skinner of the Wesleyan Mission went out to speak to them, and begged them to restrain themselves. But on 20 December Ngati Ruanui launched their assault. Ihaia's people lost six killed and five wounded; Ngati Ruanui, with the loss of five killed and ten wounded, took the pa. The losses might have been heavier, had not Raniera - in response, perhaps, to Ihaia's invitation - arrived with a force of a hundred Puketapu to create a diversion. With their retreat covered, Otaraua were able to fall back on Mahoetahi, a much stronger pa to the south, on Puketapu land.³⁶

34. Cowan, New Zealand Wars, Vol. 1, p.152. Ihaia was later condemned on this account by two King party delegates sent to investigate the dispute "because he had taken sufficient utu for his personal wrongs (the seduction of his wife) by killing the offender, and there was no just cause (také) for parting with tribal lands in order further to involve Wiremu Kingi's people." Ibid., p.179.

35. W. Halse to McLean, 23 December 1854, McLean Papers, Folder 318.

36. Ibid.; Skinner to Turton, 22 December 1854, quoted in Flight to McLean, 23 December 1854, ibid., Folder 276 (14). There were only forty or so people in Ihaia's pa, and his position was generally thought to be desperate. Whether or not he invited Raniera's assistance, he may well have counted on it in return for his support immediately after Rawiri's death. Certainly he was confident before the battle, and positively cocky afterwards. (H. Halse to McLean, 23 December 1854, ibid., Folder 313.)

How highly developed Ihaia's initial plans were is of course difficult to determine. But their general drift is clear enough. From the first he insisted - and his Puketapu allies were loud in their corroboration of the lie - that it was Wiremu Kingi of Ngati Kura who had invited Ngati Ruanui north.³⁷ Clearly, he hoped to represent Kingi, and his ally Katatore, as members of the anti-land-selling movement which had taken root among Ngati Ruanui - the 'league' so dreaded by the settlers. In the circumstances, such a ploy could hardly fail. 'Ihaia was friendly with the Europeans and willing to sell them land,' a classic statement of the settler view had it later; 'the committal of this act [the killing of Rimene] was therefore taken advantage of by the anti-land-selling-leaguers to pick a quarrel with him.'³⁸ As a result of Ngati Ruanui forays into Ati Awa territory, Kingi and Katatore became inextricably linked in the settler mind with the League, and neither of them was ever able to live down the connection.³⁹ In the end, just as Ihaia had hoped, it was to prove Kingi's downfall.

In the short term, however, Ihaia was less successful than he might have wished. If he anticipated immediate Government action against the 'land leaguers', he was disappointed - Governor Grey had left the country; his successor had not yet been appointed, and the Colony was administered by an Acting Governor who had no intention of making any major decisions.⁴⁰

37. Ibid. See also H. Halse to McLean, 29 December 1854, ibid; BPP, 'Papers relative to New Zealand, 1860', Sub-Encl. 1 in Encl. 4 in No. 77, J.F. Riemenschneider to McLean, 24 September 1855, p.170 (444). Kingi had nothing to gain and everything to lose by the outbreak of fighting at Waitara, and everything we know about him suggests he would never have issued such an invitation.

38. Wells, History of Taranaki, p.159.

39. It is not clear whether Kingi and Katatore were related, or whether Kingi joined Katatore simply because Katatore's opponents had joined Ihaia, his own opponent. He was associated with Katatore in his secret meetings with Cooper about the Tarururangi sale, and in the peace negotiations with Wynyard; and he also fought with him in mid-1855, after the arrival of Arama Karaka from the south.

40. Sir George Grey had retired on 7 March 1853; Colonel Thomas Gore Browne assumed office on 6 September 1855. Lieutenant-Colonel Robert H. Wynyard was the interim Administrator.

And while it is true that Ngati Ruanui involvement prolonged the hostilities, and created endless excitement among the Puketapu, it was never enthusiastic enough to be crucial. On the first occasion, for instance, while the settlers waited with baited breath after the attack on Ihaia, for a general call to arms, Ngati Ruanui astonished them by quietly packing up and going home. 'Some say there was a division in their councils' Halse reported, '- that they were heartily tired of having their people shot & wounded for a lad they cared nothing for ...'⁴¹ And Ihaia's determined attempt to bring them back again enjoyed very limited success. Hardly had they left, when his people dug up and desecrated the bodies of two Ngati Ruanui tupapaku buried near the scene of the fighting. Ngati Ruanui wrath, however, was placated by their missionary Riemenschneider. In the winter, the chief Hanataua braved general criticism to lead a small taua north to avenge the insult. He returned home after only six weeks, and a little skirmishing, and Ngati Ruanui resolved anew to keep aloof from Ati Awa quarrels.⁴²

Ngati Ruanui, in fact, proved less of an obstacle to a Puketapu peace than did one of their own leaders. Arama Karaka Mitikakau, whom Ngati Huetu had summoned in the first flush of their anger after Rawiri's death, arrived from Waikanae early in April 1855. It was unfortunate that his arrival coincided with that of the Acting Governor, Colonel Wynyard, who had hopes of securing a peace. Ati Awa, too, were tired of skirmishing, and it seemed at first that a settlement would be arranged without difficulty. Wi Kingi and Tahana of the Hua alike encouraged Wynyard's efforts. Katatore

41. W. Halse to McLean, 30 December 1854, McLean Papers, Folder 318. Ngati Ruanui left on Christmas Day.

42. BPP, 'Papers relative to New Zealand, 1860', Sub-Encl. 1 in Encl. 4 in No. 77, Riemenschneider to McLean, 24 September 1855, pp.170-171 (444-445). See also ibid., Encl. 3 in No. 61, Flight to F.J. Travers, 16 July 1855, p. 133 (407), and ibid., Sub-Encl. in Encl. 1 in No. 68, H. Halse to Charles Brown, 1 September 1855, p.142 (416).

agreed with alacrity to give up Tarurutangi - including the land on which Rawiri was killed - to the Queen. The Governor himself had come to ask him for the land; what further recognition of his claims was necessary?⁴³

Arama Karaka, however, was still travelling up through Taranaki, and his presence seemed necessary to conclude the negotiations. Wynyard, anxious to be off, sent him a message to come with all speed. It was, as a Taranaki elder explained to him, a mistake. Arama Karaka had been away from home for twenty years; he was returning as a stranger. "Your going to him has given him something to stand on. As a stranger he would have joined the Governor, but as it now is by your going, who can tell but that he may favour these few thoughtless men who wish for a continuance of the strife."⁴⁴

Arama Karaka politely refused to make peace; Rawiri's elders felt obliged to support him; and Colonel Wynyard, fearful of committing his successor to a war by sending troops on to the land, gave the combatants his blessing: "If you will continue your quarrel I wish you to remember that your quarrel must be exclusively amongst you natives", he advised them, 'and on no account to interfere with, or mix the Europeans in it.'⁴⁵ In response to the shrill representations of the settlers, troops were sent to New Plymouth in 1855; their duties were confined to garrisoning the town, and protecting the settlers should the need arise.⁴⁶ Ten years of effort by Government officials and Maori assessors alike to teach the Ati Awa the meaning of British justice, had been thrown away in as many months. Ati Awa, it seemed, must settle their own disputes; the Crown would remain neutral, and would not bother them with the judicial process.

43. Ibid., Encl. 1 in No. 50, 'Native Feud at Taranaki', pp.101-108 (375-382).

44. Ibid., p.105 (379).

45. Ibid., p.106 (380).

46. About five hundred soldiers, detachments of the 58th and 65th Regiments, arrived in New Plymouth during August and September.

Wynyard, it is true, made one more effort. In October 1855 he went back to New Plymouth, taking the Nga Puhi chief Tamati Waka Nene with him to assist in the negotiations. He consulted Te Puni, who arrived unexpectedly from Wellington. But nothing was achieved. Katatore, incredulous, turned down Wynyard's well-meant suggestion that he migrate with his followers to Waiheke Island. He reiterated his offer of Tarurutangi to Government, and his offer of the payment to Rawiri's people.⁴⁷ Wynyard, though anxious to accept, could do nothing without Arama Karaka. And Karaka, for his part was uncooperative. He had built the new Ninia pa within a mile of Katatore's pa on the Ikamoana. He claimed the land for his people, and he demanded that Katatore surrender it to be sold as utu for Rawiri's death.⁴⁸ Katatore had always been touchy about his rights at the Ikamoana, and he had nothing to say to Karaka. It was one thing, besides, to give his land to the Government, and quite another to resign it to his opponents.

Summer came, and the Puketapu - still under arms - were busy in their cultivations. In autumn another small party of Ngati Ruanui arrived, and there was a sudden burst of fighting as they attacked Karaka's men, cutting fern on the disputed Ikamoana land. Eight men were killed among them the Ngati Ruanui leader Piripi, son of the chief Hanataua.⁴⁹ This time Ngati Ruanui could not restrain themselves: a taua of five hundred men set off to avenge Piripi's death. They arrived at the Mangaoraka at the end of June 1856, threw up several stockades

47. Ibid., T. Gore Browne to Lord John Russell, 12 October 1855, No. 76 and encl. 1-2, pp.163-165 (437-439); Gore Browne to Russell, 19 October 1855, No. 77, and encl. 1-3, pp.166-169 (440-443).

48. H. Halse to McLean, 22 May 1855, McLean Papers, Folder 313; BPP, 'Further Papers relative to New Zealand, July 1860', Sub-Encl. in Encl. 1 in No. 102, H. Halse to McLean, 11 July 1856, p.338 (576). Katatore's pa was called Kaipakopako.

49. Ibid., Gore Browne to Henry Labouchere, 26 April 1856, No. 86 and encl. 1-3, and Memorandum (H. Halse, 16 April 1856), pp.199-201 (437-439). There were only forty men in the Ngati Ruanui taua; their losses (six men) were heavy. In all the fighting since August 1854 only one other man had been killed.

around Karaka's pa, and finally, on 22 July, mounted an attack on a small new pa which Ihaia and his new Ngati Rahiri ally Nikorima were holding. The Ninia people set off in pursuit, and in the clash that followed five men were killed on each side and more wounded. And on 5 August, having destroyed all their earthworks, Ngati Ruanui went home.⁵⁰

The 1856 expedition was their last into Ati Awa territory. In three years they had sent four taua - all but one of them to avenge a specific wrong done their own people. On each occasion, they exacted their vengeance and promptly left. While the settlers commiserated with one another on each new manifestation of the 'land league's' hostility, Ngati Ruanui - beneath their very noses - were passing up successive opportunities to become involved in Ati Awa land disputes. Clearly, they neither wished nor dared to interfere.⁵¹

One bitter legacy of the final Ngati Ruanui visit remained. Ihaia Te Kirikumara, who had exerted himself in the first place to bring Ngati Ruanui north, managed before they left to turn their intervention to his own advantage. In July Arama Karaka, facing a hostile unpredictable taua of five hundred men, had panicked. He turned to Ihaia for help. Ihaia saw his chance at last, and named as the price of his assistance the land at Ikamoana. Somewhat rashly, Arama Karaka agreed, and Ihaia moved onto the ground, and threw up his own pa-the Ikamoana. He was to prove very difficult to shift.⁵²

50. Ibid., Gore Browne to Labouchere, 31 July 1856, No. 102 and encl. 1-3, pp.337-340 (575-578); Taranaki Herald, 12 July and 9 August 1856.

51. It is especially interesting that they should have mounted their last attack against Ihaia, the man whom they held responsible for the deaths of all their people at New Plymouth.

52. This was the pa in which Ngati Ruanui attacked him. See H. Halse to McLean, 2 February 1857, McLean Papers, Folder 315; J. Whiteley to C.W. Richmond, 17 August 1857, The Richmond-Atkinson Papers, ed. Guy H. Scholefield (Wellington, 1960), Vol. 1, pp.292-293.

The arrival of such a large Ngati Ruanui taua had in fact caused general consternation among Ati Awa. Virtual invasion - however shortlived - was not only dangerous but demeaning; and when the taua left the Ati Awa turned abruptly to peacemaking. Throughout the war the factions had been on generally friendly terms; their various pa were not much more than a mile apart, and there was frequent communication between them.⁵³ They had fought neither to kill nor to gain strategic advantage, and they expended great quantities of ammunition without ever trying to dislodge one another. They had been obliged simply to maintain their positions, and to withdraw neither from the quarrel nor from the land. There were in short no real obstacles to a peace. The last shots among themselves were fired, in the usual desultory fashion, at the beginning of November 1856. But peace initiatives were already under way. Katatore had sent presents to the Hua. Hone Ropiha Te Kekeu, a Puketapu assessor, and elder of Karaka's party, reciprocated, making an unexpected visit to Kaipakopako with a companion to begin talks.⁵⁴ Soon afterwards Wiremu Kingi threw his weight behind the negotiations; his wife Heni was escorted by a party of Ngati Kura to Thaia's pa, where a feast followed the tangi. In mid-November Rawiri's widow Roka made a ceremonial visit to Katatore and Wiremu Kingi. A month later the men went, led by Raniera, Tahana and Te Waka; while Kingi sent his brother Enoka to the Hua, Kawa and Kaipakopako pa.⁵⁵ But the final impetus came in unexpected fashion from Arama Karaka himself, who at the end had been among the most active promoters of the peace. On 15 January 1857, after an illness of several months, he died.⁵⁶ The Puketapu peace

53. See, for instance, Abraham, Journal of a Walk, pp.32-33.

54. Taranaki Herald, 6 and 20 October 1856.

55. Ibid., 3 and 17 November 1856; H. Halse to McLean, 8 and 15 December 1856, McLean Papers, Folder 314.

56. H. Halse to McLean, 15 December 1856, ibid.; Taranaki Herald, 17 and 24 January 1857.

was formally concluded on 5 February. The parties exchanged arms, and cut down their respective flagstuffs; and Katatore brought his red war flag into town and presented it to Henry Halse. In March, Katatore's people went to Town for the first time in three years, and were officially welcomed by the provincial dignitaries.⁵⁷

In the midst of these celebrations, Ihaia and his ally Nikorima held aloof. The Puketapu had made determined efforts to involve them in the peace, and a party of Whanganui chiefs travelled north especially to offer their services as mediators. But it was no good. The Puketapu of both parties wanted Ihaia off their land; Ihaia, for his part, was resolved to retain the Ikamoana for himself, and to use it as a bargaining point in his negotiations with the settlers about the Waitara. He demanded that Katatore surrender the land; first, because of Karaka's offer, and secondly as payment for Nikorima's tupapaku, killed in the fighting with Ngati Ruanui. When the Puketapu concluded their peace without him - without admitting his right to the land - he turned to the Government for recognition. Within a month of the peace he offered the Ikamoana for sale.⁵⁸

Here was a new dilemma for the Government officials. The local Maori 'experts' gave conflicting advice in accordance with their respective prejudices: Whiteley assured C.W. Richmond that Ihaia had a good title to the land, Richard Brown argued that he did not.⁵⁹ The Taranaki Herald did not pretend to be disinterested: 'We have heard it said that Ihaia is a man of no influence... We do not know what degree of chieftainship he holds amongst the Natives, and, moreover, care not. Sufficient for us it is that

57. H. Halse to McLean, 2 and 12 February 1857, McLean Papers, Folder 315; Taranaki Herald, 21 March 1857.

58. H. Halse to McLean, 2 March 1857, ibid; Whiteley to Richmond, 15 March 1858, Richmond-Atkinson Papers, Vol. 1, p.363.

59. Taranaki Herald, 23 May 1857; Whiteley to Richmond, 17 August 1857, Richmond-Atkinson Papers, Vol. 1, p.293.

he is at the head of the "Progress Party", and the open friend of the Pakeha.⁶⁰ Halse knew however that the land could not be bought without the Puketapu. If he tried it, there would be fighting anyway; Ihaia had threatened an attack on Katatore. He thought of paying Ihaia's party and waiting until the Puketapu should capitulate and take their share.⁶¹ But Ihaia was several moves ahead of him. On 29 April he came into New Plymouth with a large party to make a second, public offer of the land. Egged on by W.K. Hulke, an influential settler, he wrote to the Provincial Council complaining of the lack of progress with the sale. And this time, he played his trump card. He offered the Waitara again, and Turangi to the north of Waitara. But he made the sale conditional on the settlement of Ikamoana. The two sales were to be tied together: 'rather let the Ikamoana be first concluded, then we can consider what course it would be best to pursue with regard to Waitara and afterwards Turangi - in that case it would be very satisfactory'.⁶²

Few settlers would have disputed that conclusion. But the Council and even the Taranaki Herald were finally convinced that the Puketapu could not be ignored.⁶³ Katatore and Kingi, once again, became the scapegoats, and a newer generation of Taranaki settlers were less willing to be patient with them. C.W. Richmond, the Minister responsible for Native Affairs, wrote bluntly to the new land purchase agent Parris that 'a site for a town on the Waitera must be secured', and any scheme for achieving it was worth consideration.⁶⁴ He resurrected Grey's scheme for taking the south

60. Taranaki Herald, 2 May 1857.

61. H. Halse to McLean, 27 April 1857, McLean Papers, Folder 315. See also John Rogan to McLean, 27 July 1857, AJHR 1861 C No. 1, No. 55, p.210.

62. 'Translation of Ihaia's letter to Provl. Government', copy filed in McLean Papers, Folder 315. See also Taranaki Herald, 2 May 1857; Geo. Cutfield to the Colonial Treasurer, 5 May 1857, Taranaki Province archives, Series 7/3, Superintendent - Entry Books of General Outwards Letters (Hereafter TP 7/3), National Archives, p.279.

63. Taranaki Herald, 30 May 1857, and 23 May 1857 (editorial).

64. Richmond to R. Parris, 6 July 1857, Richmond-Atkinson Papers, Vol. 1, p.282. Robert Parris had been appointed a district land purchase commissioner in June.

bank, and leaving the north to the Maoris. He thought of modifying the Hua scheme so that the land might be divided into individual portions before the claimants all agreed on a sale. Each titleholder, then, might dispose of his section as he wished.⁶⁵

By July, Ihaia was making his third offer of Ikamoana. He had chivvied Mahau into adding the Waiongana to it. He threatened again to fight Katatore. He begged for payment, whether large or small; he even applied for payment in flour.⁶⁶ But the district commissioner Rogan would not make a payment while fighting seemed imminent, and Ihaia made no progress with him. And while he fumed in frustration, Katatore suddenly intervened and offered land himself: Whakangerengere, a large block of 40,000 acres running inland behind the Bell Block to Taranaki mountain. It included Tarurutangi, the land on whose account Rawiri had been killed. It offered Rawiri's people the chance of sharing the payment, and gave them a stake in the sale. It redeemed his reputation with the settlers and the Government, and had Halse talking delightedly of the break-up of the Land League. Above all, it removed Ihaia and the Ikamoana from the immediate centre of attention. Katatore's offer, supported by Rawiri's people and Ngati Tu of Waiongana (Mahau's opponents!) was accepted, and within a month there were Puketapu working parties cutting the boundaries. Katatore talked next of settling the Ikamoana.⁶⁷

Ihaia found this sudden change in his fortunes very hard to bear. After years of effort he had seemed poised on the brink of success. He had been the only important chief willing to sell land. He offered the

65. Ibid.; Richmond to I.N. Watt, 12 July 1857, ibid., p.285. The latter scheme had been suggested by both Henry Halse and John Whiteley.

66. Rogan to McLean, 27 July 1857, AJHR 1861 C No. 1, No. 55, p.210.

67. Parris to McLean, 27 August 1857, AJHR 1861 C No. 1, No. 58, pp.213-214; H. Halse to McLean, 19 September 1857, McLean Papers, Folder 315.

two most attractive districts in New Plymouth. Surely, it seemed, the Government could not have held out much longer. Now, at once, he had become a liability. The local officials - though still anxious for his friendship - were more anxious not to offend Katatore. They never quite saw why the two of them - as land sellers - could not work together. But Ihaia refused to cooperate with Katatore; he refused too to accept a large Government bribe of £200 to destroy his pa and remove himself, so that Katatore might then sell the Ikamoana on his own.⁶⁸ And in the end, he murdered Katatore.

On 9 January 1858, a Saturday, Katatore went into town with a few companions, on one of his infrequent visits. Ihaia met them there and, making a great show of friendliness, shouted them food and drinks. Somewhat the worse for wear, Katatore set off for home in the evening, and rode straight into an ambush laid by Ihaia's people at either end of one of the Bell Block roads. Unarmed and unsuspecting, Katatore and his half brother Rawiri Karira were shot, beaten and tomahawked to death, and their bodies were fearfully mangled.⁶⁹

In the fighting, which followed, Ihaia was isolated. The Puketapu blockaded his supplies from Town, and threw up a new pa, carting prefabricated palisades to the spot on bullock drays; Wi Kingi moved on to the Ikamoana to help them surround Ihaia. After a few weeks' exchange of fire, and a few casualties, Ihaia withdrew without warning to the Waitara, hotly pursued by his opponents, who reinvested his new position at Karaka pa.⁷⁰

68. H. Halse to McLean, 1 June, 5 and 19 September, 12 October 1857, McLean Papers, Folder 315. See also Whiteley to Richmond, 17 August 1857, Richmond-Atkinson Papers, Vol. 1, p.293, and H. Halse to McLean, 21 January 1858, McLean Papers, Folder 316 (2).

69. H. Halse to the Native Secretary, 11 January 1858, AJHR 1861 C No. 1, No. 54, p.209; Taranaki News, 14 January 1858; Taranaki Herald, 16 January 1858; Parris to McLean, 21 January 1858, McLean Papers, Folder 493 (8).

70. H. Halse to McLean, 21 and 28 January 1858, ibid., Folder 316 (2) and (3); Taranaki Herald, 6 and 13 February 1858.

It appeared to the Government and the settlers that a showdown was imminent. Ihaia's people, it was said, were to be smoked out or burnt out, captured and killed. They were to be tortured, roasted slowly over fires and ruthlessly exterminated. The Wesleyan missionary John Whiteley, as hopelessly one-eyed about Ihaia as he was antagonistic to Katatore, did more than anyone else to give credence to such stories.⁷¹ Even the new Governor, Gore Browne, spent miserable hours contemplating Ihaia's fate, and ended by offering him safe passage to the Chatham Islands!⁷² Whiteley urged Ihaia to accept, or to surrender himself for trial; he wrote letters of acquiescence for Ihaia to sign. Ihaia humoured him, or insulted him, and sent secret messages out for allies and ammunition.⁷³ He knew that, militarily, he was beaten, and it was a matter now of holding out till peace was made. And in June, a party of Ngati Maniapoto from Mokau did arrange a peace. Ihaia's people withdrew to Urenui, and the Karaka pa - without its occupants - was burned to the ground. The Ati Awa, for their part, went quietly home.⁷⁴

The murder of Katatore had offered the Government a unique opportunity to attempt the enforcement of British law among the Ati Awa. It had occurred on Crown land, and it was actually witnessed by a settler.⁷⁵ To the Ati Awa, it was kohuru (treacherous killing) - a despicable crime.

71. Whiteley to Richmond, 19 April 1858, Richmond-Atkinson Papers, Vol. 1, pp.389-390; Whiteley to Richmond, 24 March 1858, ibid., p.373; H. Halse to McLean, 18 March 1858, McLean Papers, Folder 316 (6). Ihaia was a Wesleyan; he had at one time been a teacher.

72. Gore Browne to Richmond, 31 March 1858, Richmond-Atkinson Papers, Vol. 1, p.374; Richmond to T. Richmond, 4 April 1858, ibid., p.376.

73. Whiteley to C.W. Richmond, 22 March 1858, ibid., pp.371-372; H. Halse to McLean, 18 March 1858, McLean Papers, Folder 316 (6).

74. Parris to McLean, 29 April 1858, ibid., Folder 493; Taranaki Herald, 8 May and 12 June 1858.

75. E.W. Hollis of the Bell Block, whose eyewitness account was published in the Taranaki Herald of 16 January 5 June 1858.

There is little reason to suppose that if the Government had sent troops to arrest Ihaia and bring him to trial - and the Commander of the local garrison had been willing to try - it would not have been successful. Even if Ihaia's men had refused to surrender him, and the troops had been forced to fight, there could have been no doubt as to the outcome. Ihaia was totally outnumbered, and must have been quickly defeated. At the very least, the Government would have redeemed itself in Ati Awa eyes by making the attempt - against a criminal who was also a 'land-seller'. It could have demonstrated a determination to enforce the law impartially, to disentangle its enforcement entirely from the question of land sales.

Instead, the Government did nothing; and its inaction was a triumph for Ihaia Te Kirikumara.⁷⁶ Ihaia had seen where the settlers were most vulnerable, and he had set himself to exploit their desperate want of land. He had posed as their ally against the 'land league', as their only reliable advocate among the Ati Awa, and the only man who could obtain for them the Waitara. And in 1858 he reaped handsome dividends. The settlers were a little dismayed at the brutality which attended Katatore's death, but they were frankly relieved that he was gone. If it were utu for Rawiri's murder, they told themselves (and they never saw the difference between the manner of Rawiri's death and of Katatore's) it was understandable. Parris was worried about the effect the fighting would have on the sale of Whakangerengere; the settlers were worried lest Ihaia should have been

76. A translation of a Government proclamation was issued on 22 February 1858, advising the Ati Awa that 'the Governor disapproves of this war of yours, and that he will not consent that this evil be pulled upon the territory of the Pakeha ...' ('kia mohio mai koutou, e whakahengia ana tenei pakanga a koutou e te Kawana, a ekore hoki ia e whakaae kia kumea mai tenei he ki runga ki te whenua o nga pakeha ...'). Taranaki Herald, 8 May 1858, Supplement. See also C.W. Richmond to H.R. Richmond, 21 March 1858, Richmond-Atkinson Papers, Vol. 1, p.369.

offended to the point where he withdrew his friendship, and his land.

'Ihaia has, I believe for many years ... been anxious that the lands belonging to [him] ... should be disposed of to the English', the former Magistrate Flight could write, after the murder of Katatore, 'so that after repurchasing what they might require they would be placed more fully under our laws and thereby enjoy the security, peace and prosperity which they feel they cannot obtain under their own customs and guidance'.⁷⁷

Ihaia was the settlers' only hope of the Waitara because Wi Kingi was their enemy; Ihaia had seen to that too, and opponents of Ngati Kura among Ngati Tawhirikura and Puketapu had completed his work. Each successive official wrote to his superiors of Kingi's unhelpfulness, his declining reputation at home, his poor character, his treachery. They never went to see him; he seldom came to Town. Several years before, he had explained to Major Nugent, the Native Secretary, his humiliation at his treatment by Government officials: their failure to consult him, and to contradict libellous statements about him in the press, their eagerness to believe any and every rumour about him. The officials spent so much of their time visiting local elders, while he was studiously ignored. And why had he not been made an assessor?⁷⁸

He knew the answer of course, as well as Nugent did, and it was not a very palatable one. Kingi, it was considered, would not sell land, and it was a waste of time to cultivate his friendship. Assessorships came to be given less in the hope of involving elders in the business of the Court,

77. Flight to McLean, 20 June 1858, McLean Papers, Folder 276 (32). See also Parris to McLean, ? September 1860, MA/MLP/NP1, p.254; and H.A. Atkinson to C.W. Richmond, 8 February 1858, Richmond-Atkinson Papers, Vol. 1, p.346.

78. BPP, 'Papers relative to New Zealand, 1860', Encl. 1 in No. 43, C.L. Nugent to the Colonial Secretary, 25 January 1855, p.74 (348); ibid., Encl. 3 in No. 68, Nugent to the Major of Brigade, 1 September 1855, pp.142-143 (416-417).

than to encourage through their salaries a loyalty which it was hoped would lead to offers of land. In New Plymouth - where Maoris had early been involved in the legal system, and enjoyed friendly relations with the settlers, the opportunity had been there to elevate the scheme above such mercenary considerations. If, in fact, important men, rather than suspected 'friendlies' had been drawn into the affairs of the settlement, if the settlers had thought of sharing rather than supplanting, if the repurchase scheme had been implemented throughout the district, New Plymouth might have been a model bi-racial community.

In the last resort, perhaps, it failed because so few men on either side were willing to make the effort. A fundamental trust between them - which at one time had begun to develop - rapidly disappeared under the twin pressures of tribal animosities on the one hand, and settler land hunger on the other. As a result, each side came to be dishonest with the other: the officials pretended to buy land for the benefit of the Maoris, while the Ati Awa pretended to sell it to assist the settlers. Each knew that the other's platitudes were ridiculous; neither was able to admit to it, or to initiate discussions for a general plan of cooperation in developing the land.

The sequel of Ihaia's defeat is well known. In the end, he did not sell Waitara himself, though he continued to claim the right to do so - more especially as utu for his wife's alleged unfaithfulness. Though the Government pardoned his crime, it did not wish to do further business with him. Ihaia in any case fell ill, and spent a long period in New Plymouth hospital. In his absence, and with his backing, the battle to sell land on the south bank of the Waitara was conducted by the elders of Ngati Tuoho and Ngati Hinga.⁷⁹ Teira of Ngati Tuoho, like Ihaia before him,

79. Parris to McLean, 12 December 1859, McLean Papers, Folder 9.

had fallen out with Wiremu Kingi. His nephew had been engaged to a girl who refused, when she was old enough, to marry him. Teira abducted her twice; but she escaped, and sought Kingi's protection. Kingi, acknowledging the insult to Teira's family, sent utu to Teira: a valuable horse and twenty sovereigns.⁸⁰ But Teira was not satisfied. The tribe, however, appear to have thought it was sufficient, and refused to support his demands for more. Teira, now doubly slighted, determined on whakahe (obtaining redress by an act which would bring trouble on his own tribe), and set about selling land at Waitara.⁸¹ His first offer, in January 1857, was not accepted. In March 1859, however, when Governor Gore Browne visited New Plymouth, he tried again, with rather more success.⁸² A year later, when Kingi's people obstructed the surveyors of the Pekapeka Block at Waitara, British troops were ordered on to the land. Ihaia and Teira had their utu from Kingi on a scale they perhaps had not dared hope for; and Kingi's land was taken from him by force and finally confiscated.

The question as to whether Wiremu Kingi had the right to interfere with Teira's sale of land was at the time one of the most hotly debated of nineteenth century New Zealand politics. But only four years later, it was officially admitted that Kingi's people had been living on and cultivating the land which Teira offered for sale. It is clear therefore that if the Government had treated Waitara on the same principle as every other

80. This was Samuel Williams's version of the story; there are variants. See Eric Ramsden, Rangiatea: The Story of the Otaki Church its First Pastor and its People (Wellington, 1951), pp.217-218.

81. Edward Shortland, 'The Waitara Dispute', MS. in Hocken Library.

82. See [Parris's] account of the Waitara negotiations dated 12 September 1860, MA/MLP/NP1, p.250; Sinclair, Origins, Ch. 9 and 10, passim.

disputed Ati Awa offer, surveyors would never have been sent on to Pekapeka.⁸³ Teira was paid in 1859 in the same way that, for instance, Ngati Tu had been paid for Waiongana, and the normal procedure would have been to wait until the opposition was also ready to take payment.

But in 1859 this was no longer what the Government had in mind. Governor Gore Browne, convinced that Kingi had no real claim to the land, was shadow-boxing: he opposed Kingi as an overweening chief, as a representative of the Land League, as a rebel against the Queen's authority. Under the new Government policy announced in New Plymouth in March, Kingi was given a choice between exempting the pa sites and cultivations of his own people from Teira's block, and allowing Teira to sell the whole block unopposed.⁸⁴ In the event, it was a choice which he refused to make. He refused to admit the right of Government to interfere with Maori land before it had been purchased. It was one thing to individualise Maori titles - as at the Hua - after the tribal claims had been extinguished; it was quite another to agree that some few of their number be allowed to cut their cultivations out for sale as small individual blocks. No man might take it upon himself to interfere in such a manner with the hapu rights of usage over their entire territory. Kingi knew that the Government wished to impress on him that he

83. This is not of course to pass judgment on the vexed and rather different question of Ngati Kura's ancestral right to the south bank. The Ngati Kura pa Manukorihi had been on the north bank of the river, and before the Migration there were Ngati Kura cultivations on both sides. It has been suggested that the Ngati Tuoho and Ngati Hinga hapu at one time also occupied the north bank, but had been pushed a few generations before to the other side of the river. In this case it seems likely that their rights to the land there were exclusive, or that they struggled (perhaps unsuccessfully) to make them so. At the time of the sale, certainly, Ngati Kura were determined to maintain their own claims to the south bank, and some Ngati Tuaho elders also refused to sell. See Taranaki Herald, 16 June 1860. 0

84. Donald McLean to the Men of Waitara, 18 March 1859, AJHR 1860 E No. 3A, Encl. 5 in No. 8, p.12.

had no power to withhold Ngati Kura land from settlers if they wanted it; and he took up the challenge on behalf of every chief unwilling that personal disputes among the elders should lead to the fragmentation of tribally-held land.

It is perhaps a strange consideration, that the troops were not sent against Henere Te Whare, who withheld from the settlers 800 acres of land close to Town, which had been sold and paid for several years before. But Te Whare had made too good a job of his public relations to be considered the target of an invasion. Kingi, who had very little experience of settlers when he came to New Plymouth, had not known how to go about it, had not even realised its importance. Disgusted at the blatant settler designs on his land, he withdrew where a more seasoned hand would have forced his goodwill on the officials. In 1860, there was hardly a settler in the province who was not convinced that it was his duty to fight such a petty, treacherous, and overbearing chief.

Stranger still, indeed, was the Government decision to use the troops at all. It is true that the settlers were clamouring for land, but then they had been clamouring for years. The sale of the Tarurutangi block - Katatore's block - had been completed in January 1859; it was 'given out' for selection soon afterwards, and added over 14,000 acres to the Settlement.⁸⁵ The Ati Awa concluded peace among themselves in August 1859, and it seemed that there would be no subsequent difficulty in dealing with their current offers of land both north of Waitara and at the Mangaoraka. To the south of the settlement, there were new offers from the Taranaki and

85. Parris to McLean, 10 January 1859, MA/MLP/NP1, p.200; and 12 January 1859, *ibid.*, p.201. The deed was dated 4 January 1859; nearly 2000 acres was 'given out' in December.

Ngati Ruanui tribes.⁸⁶ The land they wanted was becoming available to the settlers, and there was no need to have fought for it. A Government official - or a Governor - calm enough to have read the signs - might yet have gained the cooperation of all the Taranaki tribes. They were all anxious for laws, for farms, for wealth. As small holders and graziers, they did not need the same amount of land as they had when foraging; they were prepared moreover to share the surplus with the settlers.⁸⁷ In the halcyon years between the return of Kingi's people from Waikanae and the outbreak of Puketapu fighting in 1854, the benefits of mutual aid had been self-evident. After 1848 the price of labour in the settlement dropped by half almost overnight. Competition among Maori working parties set high standards in speed and efficiency. As the Ati Awa laid out their wages in seed and stock and implements, the settler farmers had for the first time been able to contemplate opening up the difficult back country, and increasing their productivity. In a new era, the Ati Awa and the settlers might have run their sheep together.

The tragedy of Taranaki, in short, need never have occurred. Then, as later, there was however a sad dearth in the Government service of inspired men whose interest in the Maori people went beyond that of furthering their own careers, and of manipulating Maori land-claims accordingly.

86. Parris to McLean, 8 January 1859, *ibid.*; Parris to McLean, 24 January 1859, McLean Papers, Folder 493 (14). It is noteworthy that when the people of Warea offered land between Omata and Tataraimaka in January 1859, Parris refused to go with them to cut the boundary line, on the grounds that they had not yet consulted the Poutoko and Tapuae people, whom he knew to be interested in the land.

87. The Ati Awa had over 2000 acres under cultivation in April 1859, and owned 692 head of cattle.

CONCLUSION

During the first half of the nineteenth century the nature of Maori society was little altered. There were, it is true, superficial changes. People ate and dressed differently, were married and buried differently. Men - though not women - had abandoned the painful process of moko. Many people were literate and had been to school; many more knew something of Christianity. But it was still an old man's society, where the opinions of the kaumatua were consulted first. It was still a society in which - despite the great numbers of people who had been seized as taurekareka in the raids of the '20s and '30s - capture remained a dreadful humiliation. And those who were sent home by Christian chiefs suffered the hostility of their more fortunate relatives. It was a society in which makutu was practised, or thought to be practised, and was blamed for illness and death, in which many tapu were rigorously observed, and tohunga were consulted by the sick. It was still a chiefly society, where the traditional chiefly families retained their influence in the community - even if that influence was not always recognised by Government officials.

Above all, Maori society remained competitive and fragmented. Disputes over resources were conducted as they had always been. Men adjusted their methods of fighting to suit the improved firearms which they owned by the middle of the century. In the Waikato, for instance, missionaries were often used for the specific purpose of averting pitched battles between two taua armed with guns. The taua would work their emotions to fever pitch in their preparations for battle, then rush at one another - as the missionary stood between

them - firing their guns in the air or in the bushes. In the Waikato the missionaries had always remained entirely neutral in disputes. At New Plymouth, however, during the fighting of the mid '50s, the Puketapu had to contend with the Wesleyans Whiteley and Turton, fiercely partisan missionaries who exacerbated the very tensions they hoped to reduce. Thrown back on their own resources, the Puketapu learned to manage their skirmishes by firing thousands of rounds of ammunition over one another's heads. And in the end, they made their own peace in the traditional manner, with their own mediators.

The vigour with which Ati Awa land disputes were conducted was perhaps a result - in a community in which war had taken heavy toll of the elderly - of simple ignorance of the location of boundary marks. A younger generation was called upon to redefine the boundaries, ceding as little as possible to their neighbours, and it was hardly surprising if they came to blows in the process. More generally, confusion over land claims stemmed from the impact on Maori birth and death rates, and on child mortality, of introduced diseases. Epidemics of dysentery, influenza and measles took heavy toll from the end of the eighteenth to the mid-nineteenth century, and tuberculosis made rapid strides among a non-immune population. The early spread of venereal diseases, and the consequent increase in female sterility, had contributed to the falling birth rate.

Depopulation, then, wrought havoc with land claims. Men tackled the problems it caused in several distinct ways. Many people, seeing their children and even their grandchildren die before them, determined on sale because there seemed no point in keeping the land,

and because it gave them at least the satisfaction of taking payment. Those who decided to keep the land often became much more mobile, as they struggled with smaller family groups to maintain their claims to the same number of berry trees or eel weirs. They scattered their cultivations more widely over the same area, travelling great distances between them. Others, however, decided to abandon an unequal struggle. In many places—at Waitara, at Otaki, at the Hua - they took advantage of the new, easily-grown crops to form closely-settled communities, based on intensive agriculture. There was often, in these villages, great interest in acquiring a new sort of title - the individual Crown grant, which gave a security of tenure independent of one's degree of mobility.

Others again came to the view that land sales - whether or not there were repurchases - were dangerous in the extreme to hapu integrity. It is hardly surprising perhaps that the movement for a Maori King should have originated early in the 1850s, in the South, and that members of Te Rauparaha's own family played such an important part in promoting the scheme. The missionaries had arrived too late at Kapiti to prepare the southern tribes for conducting written transactions, and for avoiding mistakes in their sales of land. By the 1850s, in any case, the tangata whenua and allies alike saw their chance for recognition in Government payments, and Ngati Toa, in self defence, made blanket sales of their claims in both islands.

More surprising, at first sight, was the eventual accommodation of the King in the Waikato, where so little land had yet been sold, and where there seemed scant likelihood of major sales in the immediate future. But Waikato saw the King less as a bulwark against

pakeha, than as a means of settling their own inter-hapu disputes. For in the Waikato, too, land claims were confused. The great population movements which had begun in the '20s as Waikato-Maniapoto huddled together for defence against Nga Puhi, then occupied the coastal regions in order to export flax, continued into the 1850s as hapu congregated around the mission stations, to live in new European-style villages. As they systematically destroyed the bush to make room for wheat crops and pasture, acres of land appeared where claims had not before been properly defined. The hapu fought one another with all the new means at their disposal: fences, fruit trees, mills, sheep, and pakeha tenants. A King, they hoped, would help to stop such quarrels: leasing money, for instance, the cause of endless rows, might simply be handed over to the King's exchequer.

Ati Awa, with the settlers clamouring on their doorstep, might be thought to have stood in greater need of a King - an alternative to the Land Purchase Office - than anyone. It was hardly their doing, after all, that in 1860 some land still remained to them. In the course of their quarrels they had tried to sell nearly all of it. Again, it was the chiefs who had experience of the South - Wi Kingi of Waitara and Henere Te Whare at the Waiwakaiho - who held out against this method of carrying on disputes. But both of them refused to countenance a Waikato King; nor could they unite their forces at home in an effort to retain the remaining Ati Awa land. Hapu rivalry, in the end, was too deeply ingrained to allow of a successful defence against the settlers.

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